

URBAN/MUNICIPAL

CA4 ON HBL A05

*copy*

Aug 9/89 - Aug 29/89

AGENDAS/MINUTES OF THE  
PLANNING AND DEVELOPMENT  
COMMITTEE OF COUNCIL









E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

MS. C. DEITER  
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CITY HALL  
HAMILTON, ONTARIO  
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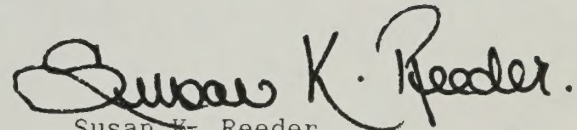
## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 9th

### NOTICE OF SPECIAL MEETING

Planning and Development Committee  
Tuesday, 1989 August 15th  
7:00 o'clock p.m.  
Room 233, City Hall

  
Susan K. Reeder  
Secretary

SKR:dbm

### A G E N D A

#### DIRECTOR OF COMMUNITY DEVELOPMENT

1. Appointment of Contractor - Construction of Belview Park - Crown Point West/Stipeley P.R.I.D.E. (Report to follow)

URBAN MUNICIPAL  
AUG 10 1989  
GOVERNMENT DOCUMENTS





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CITY CLERK

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## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 10th

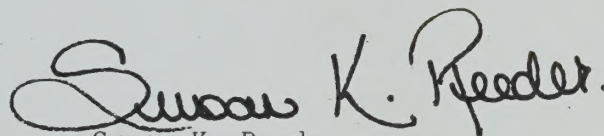
### NOTICE OF MEETING

Planning and Development Committee  
Wednesday, 1989 August 16th  
1:30 o'clock p.m.  
Room 233, City Hall

URBAN MUNICIPAL

AUG 14 1989

GOVERNMENT DOCUMENTS

  
Susan K. Reeder  
Secretary

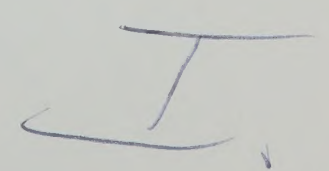
SKR:dbm

ZONING APPLICATIONS WILL BE HEARD AT  
3:00 O'CLOCK P.M. IN THE COUNCIL CHAMBERS.

### A G E N D A

1. Minutes of the meeting held Wednesday, 1989 June 14th.

#### BUILDING COMMISSIONER

2. Demolition Permit Applications.
  3. Demolition of an unsafe single family dwelling at 122 Harmony Avenue.
  4. Appointment of Inspectors under the Building Code Act.
  5. Lot Grading in Established Areas. (Information Report)
- 







DIRECTOR OF COMMUNITY DEVELOPMENT

6. Designated Property Grant - 256-258 MacNab Street North.
7. Community Heritage Trust Fund Loan -
  - (a) 151 St. Clair Avenue.
  - (b) 233 & 235 Locke Street North.
8. 1988 Annual Audited Statements - Kirdendall-Strathcona Neighbourhood House. (Wesley Urban Ministries)
9. 1988 Annual Audited Statements and Report - Landsdale Neighbourhood Improvement Programme. (St. Matthew's House)

DIRECTOR OF PROPERTY

10. Rental of Property - 354 and 356 Birch Avenue.
11. Re-purchase of Lot 18, Plan M-227, Hamilton Industrial Park #1 (140 Nebo Road.)

COMMISSIONER OF ENGINEERING

12. Cash Payments in lieu of 5% Parkland Dedication:
  - (a) "Stoneridge Estates".
  - (b) "Bar-Brock Estates - Phases One and Two".
  - (c) "Wisemount Forest Survey - Phase 5".
  - (d) "Silverton Avenue Subdivision".
  - (e) "Bartonville Court".

LOCAL ARCHITECTURAL CONSERVATION ADVISORY COMMITTEE

13. 65 Markland Street:
  - (a) Building Commissioner - Demolition Permit Application.
  - (b) L.A.C.A.C. - Demolition Control By-law.
  - (c) L.A.C.A.C. - Designation.
14. Designations:
  - (a) 105 Aberdeen Avenue.
  - (b) 112 Aberdeen Avenue.
  - (c) 260 MacNab Street North.
  - (d) 108-112 James Street North. (Tivoli Theatre)







MAYOR ROBERT M. MORROW

15. Shalom Village.

ALDERMAN D. AGOSTINO

16. City owned lands - Stoney Creek Ravine.

ALDERMAN T. COOKE

17. Park Benches - King Street between James and John.

COMMITTEE OF ADJUSTMENT

18. Cash-in-lieu of Parking and Committee of Adjustment Decisions. (Information Report)

DIRECTOR OF LOCAL PLANNING

19. City Initiative - Review of the definition of "Townhouse Dwelling".
20. Proposed Draft Plan of Condominium Application SA-89-07 - "Centergate Properties" - north side of Hunter Street, west of Ferguson Avenue.
21. Region's Proposed modifications to Official Plan Amendment No. 66 - Central Area Plan.
22. Site Plan Control Application DA-89-58 and modification to Zoning Application 89-20 for a medical office at 836 Upper Wentworth Street.
23. Site Plan Control Application DA-89-41 by Cascade Hamilton-Waterford General Partner Inc., owner, of lands at 1800 Main Street West for a 143 unit senior citizens retirement home.
24. Site Plan Control Application DA-89-31 by Louis and Judy Levy, owners, of lands known as 99 Duke Street, for renovations to the existing building and property.







COUNCIL CHAMBERS

3:00 O'CLOCK P.M.

ZONING APPLICATIONS

3:00 o'clock p.m.

25. Zoning Application 89-35, C. Chiarelli, owner, for a change in zoning from "AA" to "C" for property at 173 Stone Church Road West; Sheldon Neighbourhood.

3:15 o'clock p.m.

26. Zoning Application 89-43, Runad Homes Limited, prospective owner, for a change in zoning from "C" to "RT-30" for property at 1423 Upper Gage Avenue; Templemead Neighbourhood.
27. Zoning Application 89-49, Trillium Funeral Service Corporation, owner, for a change in zoning from "E" to "G-3" modified, and a modification to the "H" District regulations for properties at 15-27 West Avenue North and 16-20 Wellington Street North; Landsdale Neighbourhood.
28. Zoning Application 89-36, 658414 Ontario Inc., owner, for a change in zoning from "M-12" to "M-11" modified, for property at 1515 Upper Ottawa Street; Rymal Neighbourhood.
29. Zoning Application 89-55, Meridian Co-operative Homes/Homestarts Inc., prospective owner, for a change in zoning from "K" to "E" modified, for property at 286 Sanford Avenue North; Gibson Neighbourhood.

3:30 o'clock p.m.

30. Zoning Application 87-58, Tommar Construction Ltd., owner and prospective owner, for a further modification to the "G" District regulations for lands at 2774 and 2794 King Street East; Gershome Neighbourhood.
31. Other Business.
32. Adjournment.





Wednesday, 1989 June 14  
1:30 o'clock p.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman J. Smith, Chairman  
Alderman F. Lombardo, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman W. McCulloch  
Alderman D. Ross  
Alderman B. Hinkley  
Alderman H. Merling  
Alderman D. Christopherson  
Alderman M. Kiss

Also present: Alderman J. Gallagher  
Alderman T. Cooke  
Alderman T. Jackson  
Alderman T. Murray  
Alderman D. Agostino  
Alderman G. Copps  
Mr. B. Pooler, Building Department  
Mr. P. Lampman, Building Department  
Ms. J. McNeilly, Community Development Department  
Mr. R. Karl, Traffic Department  
Mr. P. Hooker, City Solicitor's Office  
Mr. B. Loreto, City Solicitor's Office  
Mr. D. Carson, Mayor's Office  
Mr. V. Abraham, Director of Local Planning  
Mr. G. Robis, Building Department  
Mr. M. Watson, Real Estate Division  
Mr. J. Thoms, Commissioner of Planning and Development  
Mr. K. Brenner, Regional Engineering Department  
Mr. A. Georgieff, Planning Department  
Mrs. C. Floroff, Planning Department  
Mr. J. Sakala, Planning Department  
Mr. G. Groppler, Planning Department  
Mr. J. Schwarz, Regional Planning Department  
Mr. F. Angelici, Planning Department  
Mr. H. Yeghouchian, Planning Department  
Mr. D. Vyce, Director of Property  
Mrs. V. Gruppe, Planning Department  
Mr. Ford, Hamilton-Wentworth Health Unit  
Mr. M. Hornell, Planning Department  
Mrs. Susan K. Reeder, Secretary

Alderman M. Kiss represented a Delegation from the Locke Street Community respecting the location of a gun shop within a residential area at 122 Locke Street South.

Locke Street South -  
Gun Shop.

Alderman Kiss gave an overview on the concerns of the residents surrounding the Locke Street South property where a gun shop is opening up. She asked that a review be undertaken on a zoning amendment to prohibit this type of business from opening in future in a residential area.

Miss Donna Reid, spokesperson for the residents in the area spoke to the Committee on the neighbours concerns about the opening up of the gun shop on Locke Street South. She indicated that a petition of opposition to this gun shop location has been obtained.

Alderman T. Cooke spoke to the Committee in support of a review of the zoning by-law to prevent this type of incident occurring again. He gave an outline for the information of the Committee on the steps being undertaken at the Legislation Committee with respect to the legality of the operation at 122 Locke Street South.

The Committee was in receipt of an Information Report from the Deputy Building Commissioner dated 1989 June 6 respecting the Location of the Gun Shop at 122 Locke Street South.

The Committee was also in receipt of an Added Information Report from the Commissioner of Planning and Development dated 1989 June 12 respecting the Gun Shop at 122 Locke Street South.

Following further discussion on this matter, it was moved by Alderman Kiss, seconded by Alderman Lombardo and **CARRIED** that:

A Planning Review of Zoning By-law No. 6593 with respect to the location of gun shops in the City be conducted and reported back to the Planning and Development Committee.

Recorded vote:

**Yeas:** Smith, Hinkley, Lombardo, McCulloch, Kiss,  
Merling

**Opposed:** Ross

Minutes - 1989 April  
12, 1989 April 26,  
1989 May 10.

The Committee was in receipt of the minutes of their meetings held Wednesday, 1989 April 12th, Wednesday, 1989 April 26th and Wednesday, 1989 May 10th and **APPROVED** these minutes.

Amendments to The  
Rental Housing  
Protection Act 1989.

The Committee was in receipt of information forwarded to them from Alderman B. Hinkley respecting the Rental Housing Protection Act 1989. Alderman Hinkley spoke on this matter and the proposed extension of the Act as well as its amendments.

Following discussion on this matter by the Committee, the Committee agreed:

That staff review the matter raised by Alderman B. Hinkley respecting the Rental Housing Protection Act 1989 and report back to the Planning and Development Committee on the proposed extension of the Act, its amendments and the implications they will have on the City of Hamilton.

Demolition Permit  
Applications -  
Old Fire Hall, 37  
Strathcona Ave. N.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting Demolition Permit Applications. Alderman McCulloch expressed concern that approval of the demolition of property at 41 Strathcona Avenue North does not automatically mean that the abutting old Firehall at 37 Strathcona Avenue North will also be permitted to be demolished. He indicated that L.A.C.A.C. is very concerned about this historic property.

The Committee then **APPROVED** the following:

That the Building Commissioner **BE AUTHORIZED** to issue demolition permits for the following properties:

- (a) 41 Strathcona Avenue North
- (b) 319 Hawkrigge Avenue
- (c) 1533 Upper James Street
- (d) 236 Wood Street East
- (e) 1194 Garth Street
- (f) 1152 Garth Street
- (g) 33 Clinton Street
- (h) 13 Magill Street
- (i) 849 Upper Wentworth Street

Demolition Permit  
Applications -  
TABLED.

The Committee was also in receipt of a recommendation from the Acting Building Commissioner dated 1989 June 7 respecting Tabling of Several Demolition Permit Applications. It was indicated to the Committee that there needs to be an official tabling of two of the properties that have illegally been demolished in view of pending court action on this illegal action.



The Committee then APPROVED the following:

That the following Demolition Permit Applications be tabled:

- (a) 72 Limeridge Road East
- (b) 22 Peter Street
- (c) 4 Solidarnosc Place

The Committee was in receipt of a report from the Deputy Building Commissioner dated 1989 May 24 respecting property at 189 Park Row North.

Demolition -  
189 Park Row North.

Following some discussion on this matter the Committee APPROVED the following:

- (a) That the Building Commissioner BE DIRECTED to enforce an Order to Comply dated 1989 May 15, requiring the demolition of the unsafe single family dwelling at 189 Park Row North.
- (b) That the City Solicitor BE AUTHORIZED to prepare a by-law for the demolition of this property.

NOTE: The cost of the demolition, together with administration costs of both the Real Estate Department and the Building Department, will be added to the tax roll, to be collected in a like manner as municipal taxes.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting property at 293 Tragina Avenue North.

Clean-up -  
293 Tragina Avenue  
North.

Mr. Ford of the Hamilton-Wentworth Health Unit spoke to the Committee on the court action against Orders to date. Mr. B. Allick of the Building Department also spoke on this issue.

General discussion ensued on this matter and the Committee APPROVED the following:

That the City of Hamilton CARRY OUT the work as defined in the final and binding Order to Comply issued pursuant to the Property Standards By-law on the exterior of the property at 293 Tragina Avenue North.

NOTE: It is estimated that \$7,000. to \$10,000. will be required to be expended to bring the exterior of the building to a standard which meets the requirements of the Property Standards By-law. The cost of this work will be added to the tax roll, to be collected in a like manner as municipal taxes.

Following approval of a motion with respect to property at 293 Tragina Avenue North, the Committee expressed direction to the Building Department that all possible attention be given to proper procedures being followed in this matter in order to ensure that monies being spent are redeemable at some point.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting Cash-in-Lieu of Parking Policy for the property located at 849 Upper Wentworth Street.

Cash-in-lieu of  
Parking Policy -  
849 Upper Wentworth  
Street.

The Committee agreed TO TABLE this matter.

Community Heritage  
Trust Fund Loan -  
129 St. Clair Avenue.

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 5 respecting The City of Hamilton Heritage Programmes - 129 St. Clair Avenue.

The Committee APPROVED the following:

That a Community Heritage Trust Fund Loan in the amount of fourteen thousand, three hundred and fifteen dollars (\$14,315.) and a Designated Property grant in the amount of three thousand dollars (\$3,000.) BE APPROVED for 129 St. Clair Avenue.

NOTE: The interest rate on the loan will be 6 percent, amortized over 10 years.

Commercial Facade  
Loan Programme -  
361 Barton Street  
East.

The Committee was in receipt of a report from the Director of Community Development dated 1989 May 9 respecting a Commercial Facade Loan Programme Application for property at 361 Barton Street East.

The Committee APPROVED the following:

That a repayable Commercial Facade Programme loan, in the amount of eight thousand, seven hundred and seventy-four dollars (\$8,774.) BE APPROVED for 361 Barton Street East.

NOTE: The interest rate will be 6-3/4 percent, amortized over 10 years.

Commercial Facade  
Loan Programme -  
155, 157, 159 and  
161 James Street  
North.

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 7 respecting a Commercial Facade Loan Programme Application for property at 155, 157, 159 and 161 James Street North.

The Committee APPROVED the following:

That a repayable Commercial Facade Programme loan, in the amount of ten thousand, nine hundred and twenty-nine dollars (\$10,929.) BE APPROVED for 155, 157, 159 and 161 James Street North.

NOTE: The interest rate will be 6-3/4 percent, amortized over 10 years.

Buffering and  
Pedestrian Safety  
around Downtown  
Parking Lots.

The Committee was in receipt of a report from the Downtown Action Plan Co-ordinating Committee dated 1989 June 7 respecting Buffering and Pedestrian Safety around Downtown Parking Lots.

The Committee APPROVED the following:

That the Planning and Development Department be requested to further review Buffering of the Parking Lots within Commercial and/or Mix-use Districts within the Downtown Action Plan Study Area and make recommendations regarding zoning and/or licencing requirements to address the need for an effective barrier between pedestrians and parking lots for safety as well as aesthetics reasons.

Proposed Expansion  
of Retail Space at  
L.D. Jackson Square -  
York Boulevard  
Frontage.

The Committee was in receipt of a report from the Director of Property and Co-ordinator of the L. D. Jackson Square dated 1989 June 7 respecting the Proposed Expansion of Retail Space at L. D. Jackson Square - York Boulevard Frontage.

The Committee APPROVED the following:



- (a) That the City of Hamilton, in its capacity as Landlord, GRANT **CONDITIONAL APPROVAL** to Second Phase Civic Square Limited to expand the retail space of the L.D. Jackson Square along the York Boulevard frontage on a parcel of land, currently vacant, lying immediately to the west of the Central Library, the expansion contemplating the creation of restaurant space at grade level containing 6,418 square feet and a Health Club use in the basement level containing 13,902 square feet, subject to Second Phase:
- (i) Complying with the requirements of the Ground Lease including additional ground lease payment, if any,
  - (ii) Complying with all Federal, Provincial, Regional and Municipal laws, by-law, requirements and regulations,
  - (iii) Providing the detailed plans and drawings for approval in accordance with the Ground Lease,
  - (iv) Executing any amendments to the Ground Lease, if formal amendments prove necessary.
- (b) That the Lessee, Second Phase Civic Square Limited, BE INFORMED that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the L. D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.
- (c) That the City of Hamilton AGREE to reducing the publicly usable open space by the area of the proposed restaurant and health club expansion.

The Committee was in receipt of a report from the Director of Property dated 1989 May 10 respecting Expropriation for Property at 386 Birch Avenue - Alpha Enclave (Plan 4).

Expropriation -  
386 Birch Avenue -  
Alpha Enclave (Plan 4).

The Committee APPROVED the following:

- (a) That APPROVAL BE GRANTED to expropriate the following land in order to complete the assembly of the adjoining properties required in conjunction with the clearance of residential enclaves for Alpha Enclave (Plan 4):
- Parts of Lots 11 and 12, Registered Plan 547, designated as Part 5; part of Lot 12, Registered Plan 547 designated as Part 2; and part of Reserve Registered Plan 547 designated as Part 4 all on Plan 62R-10273 City of Hamilton, Regional Municipality of Hamilton-Wentworth.
- (b) That the City Clerk BE AUTHORIZED AND DIRECTED, pursuant to The Expropriations Act, to:
- (i) Give Notice of The City's application to all owners, registered owners and tenants ( as defined in The Expropriations Act) of the said land;
  - (ii) Advertise Notice of the City's application in a newspaper as required by The Expropriations Act;
  - (iii) Sign and receive the said application for approval to expropriate.

Cash Payment in lieu  
of 5% Parkland  
Dedication - "Aspen  
West - Phase 4".

The Committee was in receipt of a report from the Commissioner of Engineering dated 1989 May 19 respecting Cash Payment in Lieu of 5% Parkland Dedication - "Aspen West - Phase 4", Hamilton.

The Committee APPROVED the following:

That the City of Hamilton ACCEPT the sum of \$17,480. as cash payment in lieu of 5% dedication in connection with "Aspen West - Phase 4", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Upper Wentworth Street and south of Limeridge Road in the Crerar Neighbourhood, Hamilton.

Expropriation of  
Residential  
Properties -  
Alpha Enclave West.

The Committee was in receipt of a report from the City Solicitor dated 1989 May 25 respecting the Expropriation of Residential Properties in Alpha Enclave (West) for properties known municipally as 393, 401, 403 Sherman Avenue North; 9, 19, 21, 23, 27 Gerrard Street; 358, 388, 402 Birch Avenue; and 211, 217, 219, 221 Brant Street.

The Committee APPROVED the following:

That the City Clerk BE AUTHORIZED AND DIRECTED to:

- (a) Give Notice of the City's application for approval to expropriate, in accordance with subsection 34(8) of the Planning Act, 1983 for the following residential properties in Alpha Enclave (West):
  - (i) A parcel of land known municipally as 393 Sherman Avenue North, measuring approximately 27.432 metres (90.000 feet) by 8.159 metres (26.768 feet), and described as Part 7 on Plan 62R-10267;
  - (ii) A parcel of land known municipally as 401 Sherman Avenue North, measuring approximately 34.730 metres (113.944 feet) by 7.702 metres (25.269 feet), and described as Parts 5 and 6 on Plan 62R-10267;
  - (iii) A parcel of land known municipally as 403 Sherman Avenue North, measuring approximately 28.466 metres (93.392 feet) by 6.131 metres (20.115 feet), and described as Parts 1, 2 and 4 on Plan 62R-10267, including the right-of-way designated as Part 3 on the same plan;
  - (iv) A parcel of land known municipally as 9 Gerrard Street, measuring approximately 29.068 metres (95.367 feet) by 6.001 metres (19.688 feet), and described as Part 1 on Plan 62R-10265;
  - (v) A parcel of land known municipally as 19 Gerrard Street, measuring approximately 30.399 metres (99.734 feet) by 6.101 metres (20.016 feet), and described as Part 11 on Plan 62R-10267;
  - (vi) A parcel of land known municipally as 21 Gerrard Street, measuring approximately 30.632 metres (100.499 feet) by 5.796 metres (19.016 feet), and described as Part 10 on Plan 62R-10267;
  - (vii) A parcel of land known municipally as 23 Gerrard Street, measuring approximately 30.865 metres (101.263 feet) by 5.796 metres (19.016 feet), and described as Part 9 on Plan 62R-10267;



## St. Matthew's House Statistics:

The numbers coming to St. Matthew's House for assistance continued to increase during 1988. The statistics for the year are as follows:

Day Care 45 children  
Half Day Nursery 32 children

### Social Services

Practical Assistance 11,080  
Counselling and Information 1,079  
Home Visits 1,729  
Legal Aid 132  
Advocacy 318  
Income Tax 146  
Housing 364  
Referral 200

The number attending self-help groups 6,241  
Camp 109  
Christmas (food & gifts) 511

## Chairman and Executive Director's Report

This year St. Matthew's House celebrates 26 years of service to the people of Hamilton-Wentworth who live in poverty.

In this report we wish to identify some of the means by which St. Matthew's House has attempted to relieve the difficulties faced by those living in poverty and to take a glimpse into the year ahead.

### Past Year

During the past year, an additional staff person was hired for the Home Bound Seniors Support Programme; a comprehensive evaluation of the Day Care & Nursery School Programmes, the Seniors Home Bound Programme and the Food Bank was completed and the apartment above the Reception

Area converted to offices for the Resource Teachers Programme.

A successful Food Share Drive conducted by St Matthew's House and six other Agencies provided extra food for families and individuals.

### Future

During the upcoming year, plans are being made to open a Drop-in for seniors who are clients of the Agency's Home Support Programme. The Drop-in will provide an additional opportunity for seniors on low or limited income to enjoy recreation, social activities and lunch.

The programme at St. Matthew's/Hamilton East Kiwanis Non-Profit Homes Project will undergo changes. The Housing Worker will soon be at the Project throughout each day. Through this additional involvement of the worker, services to these families will be greatly improved and additional educational and recreational opportunities will be provided for the children.

Plans for opening of a Parent Child Resource Centre are going forward with the hope that it will be possible for St. Matthew's House to provide this important service to informal Day Care providers and other families in the community.

Unfortunately information is not available at this time regarding the Housing initiatives which St. Matthew's House proposed last year to the Provincial Ministry of Housing; however, we remain hopeful that two singles' residences will be established during 1989.

During this year, the Board of Directors' Accommodation Committee will continue to look for additional space for the programmes of the Agency.

The recommendations from the St. Matthew's House Programme Evaluation Report will be carefully studied by the Board of Directors and Staff over the next few months and appropriate responses to these recommendations will be made.

Through the efforts of a number of Agencies in

Hamilton, plans are being made to establish a Food Share office and to hold one Food Share Drive a year.

Finally during 1989, we must be actively engaged in the support of the recommendations of "Transitions" (the report of the Social Services Review Committee). This report puts major emphasis on changing the Social Services of Ontario through the implementation of 274 recommendations.

### Thanks

We are grateful for the support received during the past year from many individuals, organizations, groups, schools, churches, the Diocese of Niagara, the United Way, the Regional Municipality of Hamilton-Wentworth, the Ministry of Community and Social Services, the Ministry of Skills and Development and the Federal Government. To each we extend our thanks.

Volunteers played an important role throughout 1988 in assisting with various programmes and services being offered, and by helping in their homes and in parishes by sponsoring special events, in the adoption of families at Christmas, by providing knitted clothing, driving children to and from summer camp and by making up bags of personal items for children to take to camp. We greatly appreciated this splendid effort.

Finally, may we once again bring to your attention the plight of a growing number of people in our community who find themselves living in poverty. We need your help in bringing this issue to public attention and we need your support so that we may continue to ease the burden of poverty among those we serve.

Margaret Nikolaus  
Chairman

The Rev. Canon Joe Rogers  
Executive Director

## St. Matthew's House Services

The following services are provided by the Centre:

- *Food Bank* — food for those who have exhausted their resources
- *Day Care Service and Half Day Nursery Programme* — for families with special needs
- *Self-help Groups* — for women, men, children, youth and seniors
- *Visiting* — to homes, hospital, jail, nursing and group homes
- *Social Action* — advocacy and legal aid
- *Youth Services* — services to unemployed youth 15 - 25 years
- *Housing* — assistance in locating suitable housing
- *Teacher Resource Program (Early Childhood Integration Support Services)* — sixteen resource teachers work in day cares in Hamilton-Wentworth Region and Brant County. This programme is intended to assist identified centres and their staff in meeting the special needs of children and their parents.
- *Home Support for the Elderly* — this service provides a much-needed ongoing support to poverty stricken seniors by providing in-home support for those who have lost contact with family and community
- *St. Matthew's House/Hamilton East Kiwanis Non-Profit Homes, Inc. Apartments* — twelve apartments for families on low income and in need of a life skills programme
- *St. Charles Place* — in cooperation with the Roman Catholic Separate School Board, basic education instruction is offered at St. Matthew's House Monday to Friday (9 a.m. - 12 noon) through the Board's St. Charles Adult Education Programme

## St. Matthew's House

### Board of Directors - 1988

Mrs. M. Nikolaus, *Chairman*

Mr. R. Smith, *Vice-Chairman*

Mr. A. Page, *Past Chairman*

Mr. Bertram H. Leggat, *Q.C.*

Ms Margaret Pattillo

Mr. J. Davis

Mr. A. Duerksen

Mrs. Helen Gunn

Miss Kathy Farley

Mr. J. McAleese

The Most Rev. J. C. Bothwell

Mr. R. McMenemy

Mr. C. E. Lowell\*

Mr. Wm. Cook

The Rev. Canon J. H. Rogers,  
*Executive Director and  
Secretary of the Board*

Mrs. S. Dias

*Honorary Secretary of the Board*

# Annual Report 1988

ST. MATTHEW'S HOUSE

414 Barton Street East  
Hamilton, Ontario



Annual Meeting — May 3, 1989

\*Resigned during the year



they are, but we're really not trained to do that."

Verrall says the ministry *with* philosophy can be demonstrated in concrete terms by being accessible and by being accountable. At Wesley Urban Ministries, everything that happens between the ministry's workers and those it serves demonstrates a fundamental respect for people's humanity. Whatever their troubles, he says, its the people themselves who are the key to resolving them. "It isn't really something we're going to resolve. It's something that they have to resolve. Our task is to make it possible for them to be more successful."

A discussion paper on poverty developed by Verrall further outlines the staff's learnings and the ministry's philosophy:

"The United Church of Canada has always had ministries to the poor, the disadvantaged. But these have worked at helping people to survive until such time as circumstances change, or they are able to achieve a level of coping that brings them closer to our level of living," says the paper. "We have to face the fact that for a growing number of people, this will never happen, even if it was desirable.

"Poverty doesn't have as much to do with 'things' as with 'attitudes'. A few years ago we talked about 'marginalized' people, about 'disadvantaged' people, people who were not competing, participating, for whatever reason, in our society. Money and services will not address that problem, only widen the gulf, increase the dependency."

"Therefore, our church needs to continue, and to accelerate our moves...from ministries *to*, towards ministries *with* people. We are committed ~~to~~ this movement, not because we believe poverty...could be eliminated, but rather because we believe human life needs enhancement, sharing."

The ministry's task, says Verrall, is to humanize and enrich the environment of the poor. Every day, in many different ways and with many different people, the dedicated volunteers and staff of Wesley Urban Ministries carry out that task.

Another new venture staff are working to make a reality is a health centre that would bring health services into neighbourhood areas, particularly where there are ethnic populations who require translation services.

Wesley Urban Ministries is a large operation. For both the Wesley Centre and the Kirkendall Strathcona House, there are 18 regular staff, eight temporary staff and seven "para" staff (volunteers who put in two to five full days a week).

The urban ministry's core budget for 1989 is about \$800,000. This doesn't include the government grants it's still waiting to come through for new staff. It also doesn't include provincial funding for the housing program, which will represent somewhere between \$330,000 and \$500,000 in 1989.

The budget also doesn't reflect the value of the many goods and services that are donated to the Centre by individuals and companies. Verrall estimates that 80 per cent of the things the Centre gives to people (food, clothes, etc.) is donated. (An interesting side note related to this is the donation of \$10,000 from one individual. The money is to be used exclusively to pay for food from a chic Hamilton deli. The food is delivered twice a week to the Centre and, on those days, the drop-in can serve the same type of food that's being eaten by many upscale patrons at the deli.)

Community support for Wesley Urban Ministries is tremendous. Every United Church in Hamilton Presbytery and 25 churches outside the presbytery support the ministry to some degree. Many United churches see it as their major outreach focus, says Birgitt Bolton, executive director of Wesley Urban Ministries. The ministry's work is also supported by many other denominations.

Some 2,500 volunteers give their time in various ways to ensure that the work of Wesley Urban Ministries is carried out. One example of volunteer involvement is the Sunday dinner provided by the Wesley Centre. The rest of the week, the Centre doesn't serve dinners because they're provided by the nearby Good Shepherd Centre. But, to give the Good Shepherd staff a break, Wesley Centre serves dinner on Sundays. Volunteers from Hamilton churches take turns coming to Wesley Centre to staff the kit-



Verrall with some of the food supplies kept for needy families: Real solutions must come from the people themselves.

chen and serve the Sunday meal.

Wesley Urban Ministries identifies itself as a ministry of The United Church of Canada, even though as of 1988 about half its funding comes from the Ontario Ministry of Community and Social Services. Some \$170,500 of its 1989 budget will come from the United Church's Mission and Service (M&S) Fund. In addition to this support from the national level, it receives funding from Hamilton Presbytery and many United Church congregations, women's groups and individuals. Other funding comes from the city of Hamilton, service clubs, unions, other denominations and individuals.

In 1979, United Church funding from all levels, local and national, accounted for approximately 89 per cent of the urban ministry's budget. In 1988, total United Church funding from all sources accounted for about 56 per cent of the budget. This doesn't mean, however, that United Church dollar support has gone down, says Bolton. It's just that the groups of people they're dealing with have so many needs that the demand for services has grown faster than the church's ability to cope financially. Bolton says one thing they are looking at is the possibility of putting the money that comes from the M&S Fund towards the costs of administration, which is where the decisions about the ministry's direction take place. This would reflect the fact that the ministry is clearly

United Church and not secular in its outlook.

Verrall talks about the philosophy of the ministry. "We need to make a shift," he says. "When I was in seminary, we talked about ministry in terms of something that we were going to do, and the implication was ministry *to* (people)." The concept of ministry *to* needs to be changed to one of ministry *with*, he says.

"It's difficult where we are because almost everything that we have tended to do over the years has been perceived as providing services to or for people," says Verrall. How do you change that and engage people in doing something with you?

One of the problems people who work in settings similar to Wesley Urban Ministries must deal with is the way they've been trained to approach things, says Verrall. They're trained to do things in certain settings, such as a meeting room, where there's a table with chairs around it and a set time to start the meeting and an agenda. But, this whole approach is not part of the life experience of many of the urban poor.

"So when we say we want to be partners and do things with people, one of the first things that happens is we try to bring them over onto our ground (with meetings, etc.), instead of doing it the other way," says Verrall. "We should be able to make the move onto their ground and try to deal with them where



- (viii) A parcel of land known municipally as 27 Gerrard Street, measuring approximately 31.332 metres (102.795 feet) by 5.796 metres (19.016 feet), and described as Part 8 on Plan 62R-10267;
- (ix) A parcel of land known municipally as 358 Birch Avenue, measuring approximately 22.269 metres (73.061 feet) by 11.464 metres (37.612 feet), and described as Part 1 on Plan 62R-10240;
- (x) A parcel of land known municipally as 388 Birch Avenue, measuring approximately 31.394 metres (102.999 feet) by 7.010 metres (22.999 feet), and described as Parts 1 and 3 on Plan 62R-10273;
- (xi) A parcel of land known municipally as 402 Birch Avenue, measuring approximately 28.587 metres (93.789 feet) by 7.672 metres (25.171 feet), and described as Part 10 on Plan 62R-10273;
- (xii) A parcel of land known municipally as 211 Brant Street, measuring approximately 26.590 metres (87.238 feet) by 21.505 metres (70.554 feet), and described as Part 4 on Plan 62R-10240;
- (xiii) A parcel of land known municipally as 217 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 7.620 metres (25.000 feet), and described as Part 5 on Plan 62R-10240;
- (xiv) A parcel of land known municipally as 219 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 9.144 metres (30.000 feet), and described as Part 6 on Plan 62R-10240;
- (xv) A parcel of land known municipally as 221 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 9.144 metres (30.000 feet), and described as Part 7 on Plan 62R-10240;

This Notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of these lands.

- (b) Advertise Notice of the City's Application in the newspaper as required by the Expropriations Act; and
- (c) Sign and receive the Application for Approval of these Expropriations.

The Committee was in receipt of a report from the City Solicitor dated 1989 May 4 respecting Approval of Assignment of Ground Lease to GGS Hotel Holdings Canada Inc. - Sheraton Hamilton Hotel - Payment of Account.

The Committee APPROVED the following:

That the account of Messrs. Weir & Foulds, Barristers and Solicitors, dated 1989 April 27 in the amount of \$40,164. BE PAID and charged to Account No. CH 55311 80010.

NOTE: This account is for legal services to 1989 April 19 with respect to the City's approval of the Assignment of the Ground Lease of the Sheraton Hamilton Hotel by Lakeview Development Ltd. to GGS Hotel Holdings Canada Inc., the Indemnity Agreement with GGS Co. Ltd. of Japan, the Lease Amending Agreement for the \$400,000. payment to the City, the Assignment of the Hotel Interface Agreement, the transfer of Truck Easement, the Pedestrian Bridge Agreement and related Certificates.

Payment of Account -  
Weir & Foulds -  
Approval of Assignment  
of Ground Lease to  
GGS Hotel Holdings  
Canada Inc. - Sheraton  
Hamilton Hotel.

Note: Alderman Kiss opposed.

Supply and  
Installation of  
Playstructures -  
Crown Point West/  
Stipeley Neighbour-  
hood.

The Committee was in receipt of a report from the Manager of Purchasing dated 1989 May 8 respecting the Supply and Installation of Playstructures, Crown Point West/Stipeley Neighbourhood.

The Committee APPROVED the following:

That a purchase order BE ISSUED to Belair Recreational Products Inc., Brantford, in the amount of \$10,995. plus applicable taxes, for the supply and installation of Playstructures in the Crown Point West/Stipeley Neighbourhood, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Crown Point West/Stipeley Account #CF 5698 428701203.

Heritage Permit -  
112 St. Clair Ave.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee dated 1989 June 7 respecting a Heritage Permit for 112 St. Clair Avenue.

The Committee APPROVED the following:

That a Heritage Permit for the listed property located at 112 St. Clair Avenue BE APPROVED.

NOTE: The Local Architectural Conservation Advisory Committee at its meeting held 1989 May 30 gave preliminary approval for the Heritage Permit.

The owner of the property proposes to partially enclose the back porch of his home which has been approved by the St. Clair Heritage District Advisory Committee.

Business Land Use  
Advisory Board -  
rezoning of M-12 to  
M-11 lands.

The Committee was in receipt of correspondence from the Chairman of the Business Land Use Advisory Board respecting the Concerns regarding Rezoning Industrial Land from "M-12" to "M-11" to permit Retail Commercial Uses.

Alderman Smith, Chairman of the Business Land Use Advisory Board spoke to this matter and following some discussion, the Committee agreed to RECEIVE this correspondence.

Urban Design  
Committee  
recommendation on  
Bench Advertising.

As an Added Item, Alderman Smith spoke to the Committee with respect to a recommendation of the Urban Design Committee with respect to Bench Advertising. Alderman Smith, Chairman of the Urban Design Committee spoke to the Planning and Development Committee and asked that a request be sent to the Transport and Environment Committee to table this matter and refer it back to the Urban Design Committee for reconsideration.

The Committee APPROVED to this tabling motion and directed the Secretary to advise the Transport and Environment Committee of the request of the Planning and Development Committee that this matter be tabled and referred back to the Urban Design Committee for reconsideration.

Zoning Applications.

At this point, the Committee moved to the City Hall Council Chambers for the purpose of hearing Zoning Applications.

ZA89-21 - 35 Rymal  
Road West.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 1 respecting Zoning Application 89-21 for property located at 35 Rymal Road West.

The Committee APPROVED the following:



That **APPROVAL** be given to Zoning Application 89-21, Mory Dimillo, prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 35 Rymal Road West as shown on the attached map marked as **APPENDIX "A"**, on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
  - (i) That a minimum 3.0m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained across the entire southerly rear lot line;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1128, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1128;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**NOTE:** The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 35 Rymal Road West.

The effect of the By-law is to permit the development of a 3 storey commercial building containing general office and retail space.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7 respecting Zoning Application 89-25, for property at 41 Rymal Road West.

ZA89-25 -  
41 Rymal Road West.

The Committee **APPROVED** the following:

That **APPROVAL** be given to Zoning Application 89-25, Ashok Kumar, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 41 Rymal Road West, as shown on the attached map marked as **APPENDIX "B"**, on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding the provisions of Section 14A(1), the following commercial use shall be permitted:
    - 1. a coin-operated car wash consisting of eight (8) bays contained within a completely enclosed building;

- (ii) That Section 14A(3)(b) shall not apply;
- (iii) That Sections 18.(3)(iv)(a), (b) and (c), shall only apply to the southerly rear lot line; and,
- (iv) That a minimum 3.0m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained across the entire southerly lot line;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1129, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1129;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 41 Rymal Road West.

The effect of the By-law is to permit the development of the subject lands for a coin-operated car wash, with a maximum of eight (8) bays contained within a completely enclosed building, and a two storey retail/office building attached to the car wash. In addition, the By-law requires that a minimum 3.0m wide landscaped planting strip and a visual barrier of not less than 1.2m and not more than 2.0m in height be provided and maintained across the southerly lot line.

ZA89-33 -  
132 Stone Church  
Road West.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 30 respecting Zoning Application 89-33, for property at 132 Stone Church Road West.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-33, William Schinkel, owner, to establish a change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District modified to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2"), and to establish a modification to the "C" (Urban Protected Residential, etc.) District regulations (Block "1"), for property located at 132 Stone Church Road West, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the lands described as Blocks "1" and "2" be rezoned from "B-1" (Suburban Agriculture and Residential, etc.) District modified, to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands described as Block "1", be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, a minimum lot width of at least 10.97m (36.0 ft.) and an area of at least 360.0m<sup>2</sup> (3,875.01 sq.ft.) shall be provided and maintained;
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1130, and that the subject lands on Zoning District Map W-9C be notated S-1130;

- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council;
- (e) That the proposed change and modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a change in zoning for Blocks "1" and "2" from "B-1" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the subject lands for single-family dwellings. In addition, the by-law provides for a variance for the lands described as Block "1" to permit a minimum lot width of at least 10.97m (36.0 ft.), whereas a minimum of 12.0m is required (Section 9.(4) of Zoning By-law No. 6593).

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 31 respecting Zoning Application 89-16, for property at 225 John Street South.

ZA89-16 -  
225 John Street South.

Report of the circularization was given as follows:

1,433 Notices sent - 83 in favour - 60 opposed

The Committee was in receipt of the following letters of submission:

- (a) Peter Dalle Vedobe, 211 John Street South
- (b) Gary and Heidi Evens, 175 Catharine Street South, Apartment 64
- (c) Gerry McDougall, 100 Forest Avenue, Apartment 709
- (d) Christie Chutko, 57 Forest Avenue, Apartment 1202
- (e) Maria Balla, 78 Young Street
- (f) Todd Kenny, 100 Forest Avenue, Apartment 408

The Committee was also in receipt of an added letter of submission from the occupant of property at 57 Forest Avenue, Apartment 1210.

Mrs. Maria Balla, 78 Young Street spoke to the Committee and expressed concern at the very small space where the applicants intend to open a patio to seat a maximum of 120 persons.

Mrs. Evens, 175 Catharine Street South spoke to the Committee and expressed concerns at the increased noise that approval of this patio would generate. She added that the noise level is low now except when the door opens and expressed her view that the noise level would be considerably increased if a patio was permitted. She also added that elderly women in the community could be harassed by patio attendees.

The occupant of property at 81 Charlton Street East spoke to the Committee and expressed concerns at the increased noise that would be generated by approval of a patio. He added that he fears that drunks will be wandering around the area and loitering in the nearby park.

The occupant of property at 147 Catharine Street South, 6th Floor Apartment behind the present applicant's property, indicated to the Committee that even where he is located he can hear the noise. He agrees that the restaurant is a very fine establishment but that the increased noise generated by a patio would be most distressing for area residents.

Mrs. Balla summarized the area residents concerns and pointed to her letter with respect to this matter.



A representative for the applicant spoke to the Committee and indicated that the L.L.C.B.O. has approved a conditional licence for a patio contingent on approval of the zoning application for the outside patio. He added that when this licence application was being processed that the residents did not object. He also added that the L.L.C.B.O. puts many restrictions on the operation of a patio.

Mrs. Balla interjected that patrons are leaving in the early hours of the morning now and expressed concern at what would happen should a patio be allowed.

The Committee then discussed this matter at great length and **APPROVED** the following **DENIAL** recommendation on this application:

That Zoning Application 89-16, Buckingham - York Limited Ontario Corporation No. 299734, owner, requesting a modification to the established "CR-2" (Commercial Residential) District to permit a 120 seat outdoor patio area in conjunction with an existing restaurant (Beni's Casual Dinner House) on property located at 225 John Street South as shown on the attached map marked as **APPENDIX "D"**, **BE DENIED** for the following reasons:

- (a) The proposal conflicts with the intent and purpose of the "Outdoor Patio" By-law, in that:
  - (i) The proposed patio would be located adjacent to a residential district which is prohibited. In this regard, approval of a patio at this location may interfere with the enjoyment, use and privacy of the residents of the adjoining residential property; and
  - (ii) The proposed capacity (120 persons) is 2.4 times the permitted capacity (50 persons) for outdoor patios;
- (b) The proposal would be incompatible with the adjoining residential use;
- (c) Approval of the application would result in the loss of 2 required loading spaces as required by the approved site plan (DA-81-43); and,
- (d) Approval of the application may encourage other similar applications which, if approved, would undermine the intent and purpose of the "Outdoor Patio" By-law.

ZA89-17 - 2 and 4  
Solidarnosc Place.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7<sup>th</sup> respecting Zoning Application 89-17, for property located at 2 and 4 Solidarnosc Place.

Report of the circularization was given as follows:

275 notices sent - 7 in favour - 7 opposed

The occupant of property at 39 Beechwood Avenue spoke in opposition to this application. He indicated that increased traffic would impact the present parking availability. He also expressed concerns at the access onto St. Olga Street going up the alleyway behind the club.

A representative of the Planning Department indicated that access to the rear public alley would be prohibited.

The President of the Polonia Club and the applicants on this matter spoke on the need for additional parking for their club and therefore the reason for their application.

Following discussion on this matter by the Committee the Committee directed that the following clause be added to the staff recommendation:

That the Stipeley Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to "Civic and Institutional" use.

The Committee then **APPROVED** the following recommendation:

That **APPROVAL** be given to Zoning Application 89-17, Polonia Club Limited, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit a parking lot in conjunction with the Polonia Club, on property located at 2 and 4 Solidarnosc Place, as shown on the attached map marked as **APPENDIX "E"**, on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 9.(1) of By-law No. 6593 a parking lot used only in conjunction with the uses established on adjoining lands to the east at Nos. 4A, 4B and 4-1/2 Solidarnosc Place shall be permitted;
  - (ii) That the front yard provisions of Section 9.(3)(i) of By-law No. 6593 shall not apply to the northerly front lot line;
  - (iii) That notwithstanding Sections 18A(11) and (12) of By-law No. 6593 the following special provisions shall apply:
    - (1) That a minimum 1.5m wide planting strip shall be provided and maintained along the entire northerly front lot line, except for any area used for an access driveway;
    - (2) That a minimum 1.5m wide planting strip shall be provided and maintained along the westerly side lot line and the southerly rear lot line;
    - (3) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained within the required 1.5m wide planting strip along the westerly side lot line and the southerly rear lot line;
    - (4) That no vehicular access to or egress from the public alleyway at the rear of the property shall be permitted;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1036a, and that the subject lands on Zoning District Map E-32 be notated S-1036a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That By-law No. 79-275 as amended by By-law 87-223 establishing Site Plan Control, be amended by adding the subject lands to Schedule "A";

- (f) That the Stipeley Neighbourhood Plan **BE AMENDED** by redesignating the subject lands from "Single and Double" residential to "Civic and Institutional" use.

**NOTE:** The purpose of the By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property located at 2 and 4 Solidarnosc Place.

The effect of the By-law is to permit a parking lot in conjunction with the Polonia Club established on adjoining lands to the east.

In addition, the By-law provides for the following variances as special regulations:

- (a) To require no front yard, whereas a minimum front yard of 6.0m (19.69 ft.) is required;
- (b) To require a minimum 1.5m wide planting strip along the entire northerly front lot line, except for the area required for an access driveway;
- (c) To require a minimum 1.5m wide planting strip along the westerly side lot line and southerly rear lot line;
- (d) To require a visual barrier not less than 1.2m in height and not greater than 2.0m in height to be provided and maintained within the required 1.5m wide planting strip along the westerly side lot line and the southerly rear lot line; and
- (e) To prohibit vehicular access to or egress from the public alleyway at the rear of the subject property.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 1 respecting Zoning Application 89-12, for property located adjacent to 291 Grays Road, which is part of the Ontario Hydro lands.

The Committee **APPROVED** the following:

That **APPROVAL** be given to Zoning Application 89-12, DeMarchi Construction Limited, Lessee, for a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "G-3" (Public Parking Lots) District for property located adjacent to 291 Grays Road, which is part of Ontario Hydro lands, as shown on the attached map marked as **APPENDIX "F"**, on the following basis:

- (a) That the subject lands be rezoned from "L-pn" (Planned Development Public and Institutional) District to "G-3" (Public Parking Lots) District;
- (b) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That a 1.5m wide landscaped planting strip and a visual barrier not less than 1.2m and not greater than 2.0m in height shall be provided and maintained along and within the westerly, easterly and southerly lot lines of the property being leased from Ontario Hydro, to screen the parking lot from the surrounding residential developments; and,
  - (ii) That the provisions of Subsection 18A(11) and 18A(12) shall not apply to the subject lands.
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1131, and that the subject lands on Zoning District Map E-123 be notated S-1131;

ZA89-12 - lands adjacent to 291 Grays Rd. (part of the Ontario Hydro lands.)



- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-123, for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the amending By-law not be passed by Council until the applicant has applied for and received approval of a Site Plan.

NOTE: The purpose of the By-law is to provide for a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "G-3" (Public Parking Lots) District for a strip of land adjacent to 291 Grays Road.

The effect of the by-law is to permit the lands to be used for parking purposes in conjunction with the existing apartment building at 291 Grays Road. In addition, the by-law will require a 1.5m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height along the westerly, easterly and southerly lot lines.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 3 respecting the Proposed Plan for the Jerome Neighbourhood.

Proposed Plan for  
the Jerome  
Neighbourhood.

Mr. Mark Hornell of the Planning Department outlined the report and the proposed plan. He also spoke on the submissions received respecting this plan.

The Committee was in receipt of the following added letters of submission:

- (a) Dr. and Mrs. Dickson, 111 Stone Church Road East.
- (b) Mr. P. Edmonson, 138 Stone Church Road East.
- (c) An Appendix C - Ryckman's Multi Centre Approved Plan which was inadvertently omitted from the document prepared by the Planning Commissioner.
- (d) An Addendum to Agenda Item 30 - Jerome Neighbourhood Plan which was also inadvertently omitted from the Planning Commissioner's document.

The Ward Alderman spoke to the Committee on this matter and it was indicated that a petition has been received from property owners on Chipman Avenue in opposition to the proposed plan with respect to its proposed rezoning of the two properties on Chipman Avenue, one on the north side (No. 17) and the other opposite on the south side to commercial zoning.

A representative from the area spoke on this issue and indicated that there are 19 homes on Chipman Avenue and that 16 home owners have signed the opposition petition to the Plan's proposal to rezone the above-noted properties from "Residential" to "Commercial". He indicated that rezoning these properties was turned down a few years ago as premature until the Neighbourhood Plan was approved.

It was then moved by Alderman Merling, seconded by Alderman Lombardo and CARRIED that the designation for 17 Chipman Avenue be residential.

A representative of the owner of the Rainbow Car Wash, Mr. Alex Hamstreet at 1341 Upper James Street spoke to the Committee and referred to the submission with respect to use of this property. He wants the housing recommendation revised to be used as commercial use due to the increased flow that will be taking place in the future.

Mr. P. Edmonson, 138 Stone Church Road East spoke to the Committee and presented an additional letter from himself dated 1989 June 14 respecting his comments on the Jerome Neighbourhood Plan. He submitted this document to the Secretary.

Dr. Dickson, 111 Stone Church Road East referred to his letter previously submitted on his comments. He feels that the entire policy and map contains many inaccuracies that should be tabled at this time. He feels that L.A.C.A.C. should have input into the designation of Barton Stone United Church area. Dr. Dickson further added that he has concern that the policies are rewritten to reflect greenspace of 3 corners around Barton Stone United Church and feels that the policy should include provision for green area on these corners.

The Committee then APPROVED the following recommendation:

- (a) That the Jerome Neighbourhood Plan, attached herewith and marked APPENDIX "G", BE APPROVED; and
- (b) That the Policies for the Jerome Neighbourhood Plan, attached herewith and marked APPENDIX "H", BE APPROVED.

Subdivision  
Application 88-21 -  
east of Upper James  
Street, and north  
of Stone Church Rd.  
ZA88-131 -  
1275 and 1317  
Upper James St.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 5 respecting Subdivision Application 88-21, for draft plan of subdivision east of Upper James Street and north of Stone Church Road as well as Zoning Application 88-131, for property at 1275 and 1317 Upper James Street.

The Solicitor for the owner of the properties spoke to the Committee on the Application.

The Committee was in receipt of an added letter of submission from Dr. and Mrs. Dickson, 111 Stone Church Road East.

The Committee then APPROVED the following:

- (A) That APPROVAL be given to Subdivision Application 88-21, A. Weisz, owner, to establish a draft plan of subdivision east of James Street and north of Stone Church Road, subject to the following conditions:
  - (a) That approval apply to the plan prepared by MacKay, MacKay and Peters Limited, revised 1989 April 7 and further revised showing 89 lots, one Block (Block "94") for development with adjacent lands, four blocks (Blocks "90", "91", "92" and "93") for 0.3m reserves and one block (Block "95") for a public walkway.
  - (b) That the streets be dedicated as public highways and the walkway (Block "95") be dedicated as public walkway on the final plan.
  - (c) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (d) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (e) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.



- (f) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (g) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (h) That the open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "90", "91", "92" and "93") to be conveyed to the City of Hamilton.
  - (i) That Block "94" be developed only in conjunction with adjoining lands.
  - (j) That this plan of subdivision not receive final approval before road access is available from Ridge Street and from a road connection to Stone Church Road.
  - (k) That the owner acquire sufficient lands to establish the road in front of lots 41 to 51 to a full width of 20.0m and a 0.3m reserve at the open side of the road allowance prior to or in conjunction with the development of this plan of subdivision.
  - (l) That 2m x 2m daylight triangles be established on all L-shaped streets.
  - (m) That street "A" line up centreline to centreline with the future 26.0m road to Stone Church Road.
  - (n) That the street between Lots 19 and 20 align centreline to centreline with Ridge Street.
  - (o) That Street "A" should have a centreline radius of not less than 110m.
  - (p) That the owner receive a demolition permit in accordance with the "Rental Housing Protection Act" for the rented existing single-family dwelling located on the subject lands.
  - (q) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (r) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That the Subdivision Agreement BE ENTERED INTO by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-21). A. Weisz, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

- (C) That APPROVAL be given to amended Zoning Application 88-131. Hampshire Properties Inc., Arthur Weisz Real Estate Limited and Hyman Richter, owners, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and "CR-1" (Commercial-Residential) District modified (Blocks "2" and "3"), and from "C" (Urban Protected Residential) District to "CR-1" (Commercial-Residential) District modified (Blocks "4" and "5"), to permit single-family residential development on Block "1", and Commercial/Residential Development on Blocks "2", "3", "4", and "5", for property located at 1275 and 1317 Upper James Street, as shown on the attached map marked as APPENDIX "I", on the following basis:

- (a) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the lands described as Blocks "2" and "3" be rezoned from "AA" (Agricultural) District to "CR-1" (Commercial-Residential) District;
- (c) That the lands described as Blocks "4" and "5" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-1" (Commercial-Residential) District;
- (d) That the "CR-1" (Commercial-Residential) District regulations as contained in Section 15B of Zoning By-law No. 6593 applicable to the lands described as Blocks "2", "3", "4" and "5" be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 15B(8)(a) of Zoning By-law No. 6593, no building or structure shall exceed eight storeys or 26.0 metres (85.30 ft.) in height;
  - (ii) That a minimum 6.0m wide landscaped planting strip shall be provided and maintained along the easterly property liner of Blocks "2" and "3";
  - (iii) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained within the required 6.0m wide landscaped planting strip along the easterly property line of Blocks "2" and "3";
- (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1132, and that the subject lands on zoning District Map E-9C be notated S-1132;
- (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for the following changes in zoning:

- (a) Block 1 - Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



- (b) Blocks 2 - Change in zoning from "AA" (Agricultural)  
and 3 District to "CR-1" (Commercial-  
Residential) District, modified.
- (c) Blocks 4 - Change in zoning from "C" (Urban Protected  
and 5 Residential, etc.) District to "CR-1"  
(Commercial-Residential) District,  
modified.

The effect of the by-law is to permit future single-family residential development on the lands described as Block "1", and commercial/ residential development on the lands described as Blocks "2", "3", "4" and "5".

In addition, the by-law provides for the following variances as special requirements:

- (a) To restrict the maximum height of buildings or structures to eight storeys or 26.0 metres (85.30 ft.) within the "CR-1" (Commercial-Residential) District (Blocks "2", "3", "4" and "5"), whereas 12 storeys or 39.0 metres (127.95 ft.) is permitted (Section 15B(8)(a));
- (b) To require a minimum 6.0m wide landscaped planting strip to be provided and maintained along the easterly property line of Blocks "2" and "3"; and,
- (c) To require a visual barrier not less than 1.2m in height and not greater than 2.0m in height to be provided and maintained within the required 6.0m wide landscaped planting strip along the easterly property line of Blocks "2" and "3".

Dr. Robert C. Dickson, 111 Stone Church Road East and Mr. Peter J. Edmonson, 138 Stone Church Road East spoke to the Committee and asked to be specifically notified when the By-law for this matter is circularized.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 April 28 respecting Authorization for an Open House and a Public Meeting with respect to the Gateway East Study (Centennial Parkway from Confederation Park to Queenston Road).

The Committee **APPROVED** the following:

That the Planning and Development Committee direct staff to schedule an open house and a public meeting to present the findings of the Gateway East Study.

The Committee also directed that the Economic Department should also be circularized when this open house is scheduled.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 5 respecting New Members for the Central Area Plan Implementation Committee.

The Committee **APPROVED** the following:

For the information of the members of City Council, the Planning and Development Committee, at its meeting held Wednesday, 1989 June 14, **APPROVED** the following membership list for the Central Area Plan Implementation Committee:

Authorization for an Open House and Public Meeting - Gateway East Study (Centennial Parkway from Confederation Park to Queenston Road).

C.A.P.I.C. - new members.

Alderman David Christopherson (Chairperson) - Planning and Development Committee  
Reverend Charles Forsyth (Vice-Chairperson) - First Place  
Mark Boyak - Hamilton Real Estate Board  
Francois Roesch - Corktown-Stinson Neighbourhood Association  
Gloria DeSantis - Social Planning and Research Council  
Russell Elman - Durand Neighbourhood  
Gabriel Etele - Downtown Business Improvement Area  
John Eyles - McMaster University  
Ozzie Ferguson - United Senior Citizens  
Arthur Lomax - Hamilton Automobile Club  
Kay Nolan - Hamilton-Wentworth Roman Catholic School Board  
Bruce Rankin - Hamilton Society of Architects  
Gil Simmons - North End Neighbourhood  
Trustee Anne Stewart - City of Hamilton  
Ken Stone - Hamilton and District Labour Council  
Marvin Wasserman - King East Business Association  
Diane Brown - Hamilton and District Chamber of Commerce  
Helen Nemeth - Beasley Neighbourhood

C.A.P.I.C. - Future Use of the Health Building Site, 74 Hunter St. E.

The Committee was in receipt of correspondence from the Vice-Chairman of the Central Area Plan Implementation Committee respecting the Future Use of the Health Building Site at 74 Hunter Street East.

Following review of this correspondence, the Committee agreed to **RECEIVE** this matter.

Neighbourhood Plan Review - north-west corner of Upper Gage Avenue and Rymal Rd. East (Eleanor Neighbourhood)

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 17 respecting an Neighbourhood Plan Review for the north-west corner of Upper Gage Avenue and Rymal Road East (Eleanor Neighbourhood).

The Committee **APPROVED** the following:

That the Planning and Development Committee authorize a public meeting to discuss the proposed land use options for the north-west corner of Upper Gage Avenue and Ryman Road East, Eleanor Neighbourhood.

Proposed Provincial Policy Statement on Wetlands.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 30 respecting Proposed Provincial Policy Statement on Wetlands.

The Committee **APPROVED** the following:

- (a) That the Ministers of Municipal Affairs and Natural Resources **BE ADVISED** that:
  - (i) The City of Hamilton supports in principle, the proposed Province of Ontario Policy Statement on Wetlands; and,
  - (ii) The policy statement be revised to:
    - (1) Include reference to the conservation authorities participation in wetland management; and,
    - (2) Define and/or provide examples of "compatible development", "unreasonable uses" and "lands adjacent to provincially significant wetlands."
- (b) That the City Clerk **BE REQUESTED** to so advise the Ministers of Municipal Affairs and Natural Resources and the Association of Municipalities of Ontario.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 12 respecting proposed Amendment 52/89 to the Niagara Escarpment Plan.

Proposed Amendment 52/89 to the Niagara Escarpment Plan.

The Committee APPROVED the following:

That the City Clerk BE DIRECTED to notify the Clerk of the Regional Municipality of Hamilton-Wentworth that the City of Hamilton does not object to proposed Amendment 52/89 to the Niagara Escarpment Plan.

**NOTE:** The Niagara Escarpment Commission has requested the City's comments on proposed Amendment 52/89 to the Niagara Escarpment Plan. The purpose of this Amendment is to delete waste disposal (landfill) and related uses from Escarpment Natural, Protection and Rural Areas.

Utility facilities (which includes waste collection or disposal or management) are currently permitted in the Escarpment Protection and Rural Areas, Escarpment Natural Areas and Mineral Resource Extraction Area. In principle, landfill sites are permitted in virtually all designations of the N.E.P. except Urban, Minor Urban and Escarpment Recreation.

The N.E.C. initiated this Amendment because it was felt that landfill operations and related uses would:

- (a) Conflict with the purpose and objectives of the Niagara Escarpment Planning and Development Act; and,
- (b) Not be in keeping with preserving a substantially natural environment.

In addition, it was felt that such uses could more appropriately be dealt with through the N.E.P. Amendment process. Thereby, the purpose and objectives of the Act can be addressed, as well as the site specific and wider impacts of such proposals can be assessed. The amendment process will also guarantee vigorous public, municipal and provincial scrutiny before decisions are made.

There are only three N.E.P. designations within the City of Hamilton: Escarpment Natural Area, Escarpment Protection Area and Urban Area (see attached map). The proposed amendment will only impact on the first two areas. The Regional Engineering Department has advised that there are no waste disposal or related used within these two areas. It was noted that the Upper Ottawa Street landfill site, now closed, is located immediately west of the Escarpment Protection Area in the vicinity of Stone Church Road. Since this site is no longer used for landfill purposes, the proposed amendment will have no impact.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7 respecting Site Plan Control Application DA-88-110, for lands known as 37 Kilbride Road.

Site Plan Control Application DA-88-110 - 37 Kilbride Road.

The Committee APPROVED the following:

That approval be given to Site Plan Control Application DA-88-110, by the Regional Municipality of Hamilton-Wentworth Engineering Department, owners of lands known as 37 Kilbride Road to establish a storage area for household hazardous waste, subject to the following:

- (a) Modification to the plans in relation to notes and dimensions as marked in red on the plans;



- (b) Provision on the plan to indicate alterations to Site Plan Control Application DA-79-05 and DA-83-49, Mountain Transfer Station; and,
- (c) Modification to the plan to include a note that "the household hazardous waste material shall be totally removed from the Site within two (2) working days following the scheduled public collection of such materials".

The following further part of this matter will be forwarded to City Council for approval:

"That in regard to Site Plan Control Application DA-88-110, by the Regional Municipality of Hamilton-Wentworth, owners of the lands known as 37 Kilbride Road, that approval be given to amend the existing "Agreement", Instrument No. 140899 CD, Registered on Title of the land on 1979 October 18, to permit a storage area for household hazardous waste to be located on the land, and the Agreement specify that household hazardous waste material shall be totally removed from the subject property with two (2) working days following the scheduled public collection of such material".

NOTE: Changes to the Agreement Registered on Title for the lands located at 37 Kilbride Road, are required to permit the storage of household hazardous waste on the subject property, and to limit such storage to a maximum of two (2) working days following the scheduled public collection of such material.

Establishment of a Task Force for the Purpose of Reviewing the recent decision by the Province to close Incinerators in Apartment Buildings.

As an Added Item, Alderman Merling spoke to the Committee on Establishing a Task Force for the Purpose of Reviewing the Recent Decision by the Province to close Incinerators in Apartment Buildings.

The Committee then APPROVED the following:

For the information of the members of City Council, the Planning and Development Committee, at its meeting held Wednesday, 1989 June 14th, established a Task Force to be comprised of Aldermen serving the Mountain wards for the purpose of reviewing the recent closure of incinerators in apartment buildings.

Adjournment.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 June 14

FOR ACTION

2.

REPORT TO: The Planning & Development Committee

FROM: P.C. Lampman, P.Eng.  
Deputy Building Commissioner

DATE: August 10, 1989  
COMM. FILE:  
DEPT. FILE: 89.1.1.A


AUG 10 1989

SUBJECT:

Demolition

RECOMMENDATION:

1. That the Building Commissioner be authorized to issue demolition permits for the following properties:
  - a. 1317 Upper James Street
  - b. 260 Victoria Avenue North
  - c. 262 Victoria Avenue North
  - d. 9 Limeridge Road West
  - e. 114 Graham Avenue North
  - f. 27 Delena Avenue South



FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

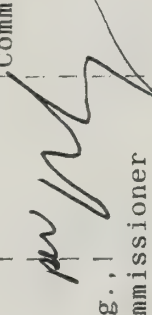
For background information see attached sheets.

01/29/88

# DEMOLITION CONTROL

CATEGORY "A" -- PROPOSED USE OF LAND IS PERMITTED BY PRESENT ZONING

ITEM	ADDRESS	PRESENT USE	PROPOSED USE	LOT SIZE	OWNER	ZONE	RECOMMENDATION
	1317 Upper James	S.F.D.	Vacant	280' X 1328,75'	Arthur Weisz Real Est.	"C/AA"	It is recommended that Committee approve demolition.
	260 Victoria N.	S.F.D.	Vacant	65' X 156'	Int. R.E. Management and Equity	"E"	It is recommended that Committee approve demolition NOTE: Owner is attempting to rezone to "G" or "H" for retail plaza.
	262 Victoria N.	S.F.D.	Vacant		Int. R.E. Management and Equity	"E"	It is recommended that Committee approve demolition. NOTE: Owner is attempting to rezone to "G" or "H" for retail plaza. ** L.A.C.A.C. decided to take no action.
	9 Limeridge West	S.F.D.	Vacant (Mountain Freeway)	117.25' X 269.99'	Regional Municipality of Hamilton-Wentworth	"C"	It is recommended that Committee approve demolition.
	114 Graham N.	S.F.D.	S.F.D.	25' X 103.5'	Elisabeth McLaden	"D"	It is recommended that Committee approve demolition.
	27 Delena Avenue South	S.F.D.	S.F.D.	39' X 93'	Carmen Prioriello	"C"	It is recommended that Committee approve demolition.

  
P.C. Lampman, P. Eng.,  
Deputy Building Commissioner



FOR ACTION

3.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. L. C. King, P. Eng.  
Building Commissioner

DATE: 1989 July 13  
COMM FILE:  
DEPT FILE:

JUL 14 1989

SUBJECT: 122 Harmony Avenue, Hamilton

RECOMMENDATION:

1. That the Building Department be directed to enforce an Order dated May 19th, 1989 requiring the demolition of the unsafe single family dwelling at 122 Harmony Avenue.
2. That the City Solicitor be authorized to prepare a By-Law for the demolition of this property.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

The cost of the demolition, together with administration costs of both the Real Estate Department and the Building Department will be added to the tax roll, to be collected in a like manner as municipal taxes.

BACKGROUND:

The subject building is a one storey frame dwelling with a stucco finish. The main portion of the building had a concrete block foundation wall. The south foundation wall has been pushed in for an approximate length of 11' near the west corner. The wood frame porch is in a progressive state of collapse.

The hydro and heating systems have been disconnected.

For the information of the Committee, the owner of this property is now deceased, the property is in tax arrears, a tax arrears certificate has been issued, and the one year redemption period expired on August 5th, 1988.



FOR ACTION

4.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. L. C. King, P. Eng.  
Building Commissioner

DATE: 1989 August 10  
COMM. FILE:  
DEPT. FILE: 87-312

SUBJECT: Appointment of Inspectors under the Building Code Act

RECOMMENDATION: That the City Solicitor be authorized to amend by-law 87-312  
as follows:

- a) That Section 2(a) be amended by **ADDING** the name:  
Peter Lampman, P. Eng.
- b) That Section 3 be amended by deleting therefrom the numeral  
"6" in the second line, and substituting therefor the numeral  
"2".
- c) That Section 6(a) be amended by **DELETING** the name:  
Peter Lampman, P. Eng.
- d) That Section 7(a) be amended by **DELETING** the name:  
John Spolnik
- e) That Section 7(a) be further amended by **ADDING** the  
name:  
Bryan Moon
- f) That Section 9(a) be amended by **ADDING** the name:  
John Spolnik
- g) That Section 9(a) be further amended by **DELETING** the name:  
Bryan Moon

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A) N/A

BACKGROUND:

Due to recent changes in the staff of the Building Department, By-Law 87-312  
respecting the Appointment of Inspectors needs to be amended to accommodate  
these changes.





**FOR INFORMATION**

5.

**REPORT TO:**

JUL 21 1989

Ms. Susan Reeder  
Secretary, Planning and Development Committee

**FROM:**

Len C. King, P. Eng.  
Building Commissioner

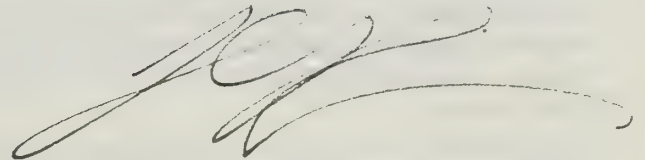
**DATE:** July 19, 1989

**COMM. FILE:**

**DEPT. FILE:** 89.2.6.1

**SUBJECT:**

Lot Grading in Established Areas



**BACKGROUND:**

At the present time lot grading is controlled pursuant to site plan control or subdivision agreements. In other established areas, disputes involving grading fall within "common law" and are basically private disputes involving the affected property owners.

With respect to the common law, a municipality is not different from any other individual. Accordingly, it would seem that the City is under no obligation at common law to rectify a grading dispute between two individuals. The two abutting neighbours have recourse through the courts to resolve their disputes.

There are a number of statutes with provisions relating to drainage: The Drainage Act, The Municipal Act, The Tile Drainage Act, The Public Transportation and Highway Improvement Act, The Planning Act.

Of these, the most applicable is The Municipal Act under which By-Law 84-35 was passed which applies to all privately owned grounds, yards and vacant lands, as well as drains. The by-law states in part that the owner shall keep his grounds "filled up" or "drained" but does not give the inspector the power to require that the grade be returned to some previously existing condition or standard.

Continued on Page Two .....

The Drainage Act provides for involved drainage schemes between neighbours. It provides for abutting land owners to enter into a written agreement for the construction, improvement or maintenance of drainage works at their own expense (s.2). It also provides for a land owner to requisition necessary drainage works, provided the cost of such works does not exceed \$7,500. (s.3).

In addition, a group of land owners may petition a municipality for the construction of drains to service an area of non-agricultural land, or to service lands used for agricultural purposes (s.4).

The other statutes are, in this case, inapplicable. The Tile Drainage Act relates to agricultural land and The Public Transportation and Highway Improvement Act to highways. Pursuant to The Planning Act, the municipality may, pursuant to the sections relating to plans of subdivision and site plans, impose conditions upon the subdivider or developer respecting grading which the City has done.

Drainage problems, caused by neighbours changing grades and elevations in areas, not under City's grading control, are very common. This Department handles many problems every year and this does not include complaints received by the Public Works Department.

A by-law, which would protect land owners from damages caused by such grading changes would, in our opinion be unrealistic for the following reasons:

1. It would be very difficult to establish, what actions or conditions respecting grading would constitute unreasonable or harmful interference with the flow of surface waters.
2. The by-law would be difficult and expensive to police: every complaint would have to be investigated immediately, while the alleged action is in progress. This Department does not have the facilities, funds or personnel to perform this work under the present budget.
3. The by-law could not be used retroactively for cases where damage has already been done. Many grading and drainage problems come to light after the fact and prosecution would be difficult.

Continued on Page Three .....



At common law, an owner has the right to alter the grades or elevation of his land without liability for natural drainage of surface water. The owner receiving this drainage has the right to alter his grades, elevation or erect dikes to turn the water back. Drainage becomes unnatural and, therefore, liability attaches, where an owner collects the water on his land and drains same by means of an artificial drain or ditch onto another's land, or where changes in grades are excessive.

At common law, the matter is for the property owners to resolve and, therefore, there would appear to be no obligation on the municipality, as a third party, to become involved.

In the alternative, private owners have the right, pursuant to The Drainage Act, to enter into an agreement between themselves respecting drainage or requisition or petition the municipality to install drainage works.

In light of the above comments, this Department is recommending that no action be taken with respect to the control of lot grading in established neighbourhoods.

c.c. Mr. K.A. Rouff  
City Solicitor  
Attention: Ms. Lian Lawrence  
c.c. Planning & Development Department  
Attention: Mr. Paul Mallard  
c.c. Regional Engineering Department  
Attention: Mr. Konrad Brenner



## FOR ACTION

REPORT TO: Susan K. Reeder, Secretary  
Planning & Development Committee

FROM: E. W. Kowalski, Director  
Department of Community Development

DATE: 1989 July 10  
COMM FILE: Heritage 61

SUBJECT:

Designated Property Grant - 256-258 MacNab Street North, Hamilton.

RECOMMENDATION:

That a Designated Property Grant in the amount of \$250. be provided to Helen Kirkpatrick and Thomas Baker, 256-258 MacNab Street North, Hamilton.

FINANCIAL IMPLICATIONS (IF NONE, STATE N/A)

N/A

BACKGROUND

The Planning and Development Committee in a report dated 1982, December 06, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme. The Province of Ontario as per the terms of the executed agreement, will reimburse the Municipality for funds advanced under the Programme, plus the 10% administration fee.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000. or 50% of the cost, whichever is less, for the replacement of the heritage features. The property receiving funds under the Programme must be designated by Council as heritage properties and this was done by Council 1989, May 30. The owners of the designated property located at 256-258 MacNab Street North have applied under the Programme for the restoration of the chimneys, repointing of the brick masonry and the rebuilding of the front porches. Ms. Kirkpatrick and Mr. Baker have obtained two estimates for the work. This estimate of \$500. is for the rebuilding of the chimney, and the balance of the estimate's cost will be available at a later date.

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (LACAC) has approved the work.

The Department of Community Development therefore recommends that the Designated Property Grant in the amount of \$250. be approved for the historical rehabilitation work to be completed at 256-258 MacNab Street North. (The total cost of the work is \$500.).





7a.

F O R A C T I O N

REPORT TO: Mrs. S. Reeder, Secretary  
Planning & Development Committee

FROM: Mr. E. W. Kowalski, Director

DATE: 1989 August 09

DEPT FILE: HERITAGE 60

SUBJECT: The City of Hamilton Heritage Programmes -  
151 St. Clair Avenue, Hamilton

RECOMMENDATION

That a Community Heritage Trust Fund Loan in the amount of one thousand, one hundred and ninety-six dollars (\$1,196.) and a Designated Property grant in the amount of one thousand, one hundred and ninety-six dollars (\$1,196.) be approved for 151 St. Clair Avenue, L. Baatz. The interest rate on the loan will be 6 percent, amortized over 10 years.

*E. Kowalski*

FINANCIAL IMPLICATIONS (IF NONE, N/A)

N/A

BACKGROUND

The Planning and Development Committee, in a report dated 1982 December 6, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000., or 50% of the cost whichever is less, for the replacement of the heritage features. The Community Heritage Programme provides loans of up to \$20,000. at 6% interest, amortized over 10 years. The property receiving funds under the Programme must be designated by Council as a heritage property, and this was done by Council 1986 April 8. The owner of the property has applied under the terms of the above Programmes to undertake restoration work by Rogal Masonry in the amount of \$2,392.

Mrs. S. Reeder, Secretary

Page 2

1989 August 09

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), has reviewed the work to be undertaken, as well as the estimates, and are recommending the acceptance of Rogal Masonry. The City's Building Department also reviewed the estimates and are in agreement that the work conforms to the Schedule, and at a cost in line with the work that is required.

The Department of Community Development, therefore, recommends that a Designated Property Grant be awarded in the amount of \$1,196., and a Community Heritage Trust Fund loan in the amount of \$1,196. at 6 percent interest be approved. The monthly payments will be \$13.28, amortized over ten (10) years.



7b.

F O R A C T I O N

REPORT TO: Mrs. S. Reeder, Secretary  
Planning & Development Committee

FROM: Mr. E. W. Kowalski, Director

DATE: 1989 August 09

DEPT FILE: HERITAGE 40

SUBJECT: The City of Hamilton Heritage Programmes -  
233 & 235 Locke St. N., Hamilton

RECOMMENDATION

That a Community Heritage Trust Fund Loan in the amount of three thousand, eight hundred and seventy-five dollars (\$3,875.) and a Designated Property grant in the amount of six thousand dollars (\$6,000.) be approved for 233 & 235 Locke St. N., C. Kopriva. The interest rate on the loan will be 6 percent, amortized over 10 years.

*E. Kowalski*

FINANCIAL IMPLICATIONS (IF NONE, N/A)

N/A

BACKGROUND

The Planning and Development Committee, in a report dated 1982 December 6, approved the Department of Community Development's participation in the Provincial Government's Designated Property Grant Programme. The City's Finance Committee also established a clearing amount of \$10,000. for the purpose of implementing the Programme.

The terms of the Programme provide the owners of heritage properties with a grant of up to \$3,000., or 50% of the cost whichever is less, for the replacement of the heritage features. The Community Heritage Programme provides loans of up to \$20,000. at 6% interest, amortized over 10 years. The property receiving funds under the Programme must be designated by Council as a heritage property, and this was done by Council 1987 July 27. The owner of the property has applied under the terms of the above Programmes to undertake restoration work by H. Kaut in the amount of \$13,450.

Mrs. S. Reeder, Secretary

Page 2

1989 August 09

As per the terms of the Programme, the Local Architectural Conservation Advisory Committee (L.A.C.A.C.), has reviewed the work to be undertaken, as well as the estimates, and are recommending the acceptance of H. Kaut. The City's Building Department also reviewed the estimates and are in agreement that the work conforms to the Schedule, and at a cost in line with the work that is required.

The Department of Community Development, therefore, recommends that a Designated Property Grant be awarded in the amount of \$6,000., and a Community Heritage Trust Fund loan in the amount of \$3,875. at 6 percent interest be approved. The monthly payments will be \$43.02. amortized over ten (10) years.

FOR ACTION

8.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. E. W. Kowalski  
Director of Community Development

DATE: 1989 July 11  
COMM FILE:  
DEPT FILE: 800-0220.4

SUBJECT: Kirkendall-Strathcona Neighbourhood Improvement Programme/  
Kirkendall-Strathcona Neighbourhood House (Wesley Urban Ministries);  
1988 Annual Audited Statements

RECOMMENDATION:

That, the attached audited financial statement and annual report for the Kirkendall-Strathcona Neighbourhood House for 1988 be adopted.

NOTE: Wesley Urban Ministry submits annual statements for the Wesley Centre and the subject neighbourhood house inclusive. The City of Hamilton has a "requirements for mortgage/agreement" with the Ministry for the Neighbourhood House only.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

BACKGROUND:

On 1981 July 27, the City of Hamilton entered into an Agreement with Wesley Urban Ministries/Trustees of the Zion Congregation of the United Church of Canada to cover the terms and conditions of repayment of the sum of \$375,000. for the renovation of the Zion United Church to provide community and recreation services to the neighbourhood under the Neighbourhood Improvement Programme. This is a forgivable loan earned at \$41.05 per day until 1990. The Agreement stipulates that the audited financial statements and annual report for each year must be submitted to the City of Hamilton for approval.

c: Mr. B. Hill, Senior Accounting Clerk  
Treasury Department





June 11/89  
800-MNPH-1.0  
968-37  
EK  
3/6/11

WESLEY URBAN MINISTRIES INC.

FINANCIAL STATEMENTS

DECEMBER 31, 1988

---

Pannell  
Kerr  
MacGillivray

---

Chartered Accountants

M.P.O. Box 679,  
4 Hughson Street South,  
Hamilton, Ontario L8N 3M5  
Telephone: (416) 523-7732  
Fax: 572-9333

AUDITORS' REPORT

To the Members of  
Wesley Urban Ministries Inc.

We have examined the balance sheet of Wesley Urban Ministries Inc. as at December 31, 1988 and the statements of revenue and expenses and deficit for the year then ended. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances, except as explained in the following paragraph.

In common with many charitable organizations, the organization derives revenue from donations and fundraising contributions the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our verification of these revenues was limited to the amounts recorded in the records of the organization and we were not able to determine whether any adjustments might be necessary to donation revenues, excess of expenses over revenue, assets and deficit.

In our opinion, except for the effect of adjustments, if any, which we might have determined to be necessary had we been able to satisfy ourselves concerning the completeness of the revenues referred to in the preceding paragraph, these financial statements present fairly the financial position of the organization as at December 31, 1988 and the results of its operations for the year then ended in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

*Pannell Kerr MacGillivray*

Hamilton, Canada  
April 3, 1989

CHARTERED ACCOUNTANTS



## WESLEY URBAN MINISTRIES INC.

1

## BALANCE SHEET

DECEMBER 31, 1988

## A S S E T S

	1988	1987
CURRENT		
Cash	\$	\$
Accounts receivable	56,368	27,816
Prepaid expenses	5,676	27,128
	-----	-----
	62,044	1,082
	-----	-----
FIXED ASSETS		
Cost	392,303	392,303
Less funds provided from grants and other sources	392,303	392,303
	-----	-----
	\$ 62,044	\$ 56,026
	=====	=====

## L I A B I L I T I E S    A N D    D E F I C I T

CURRENT		
Bank overdraft	\$ 47,135	\$
Accounts payable and accrued liabilities	16,325	31,560
Deferred revenue - grants	5,453	10,322
- other	3,000	
Endowment fund		1,000
Loan from Hamilton Presbytery Mission Council (note 3)	25,000	25,000
	-----	-----
	96,913	67,882
	-----	-----
CONTINGENT LIABILITY (note 2)		
DEFICIT	(34,869)	(11,856)
	-----	-----
	\$ 62,044	\$ 56,026
	=====	=====

APPROVED ON BEHALF OF THE BOARD

-----  
Director-----  
Director

See accompanying Notes to the Financial Statements

WESLEY URBAN MINISTRIES INC.

2

STATEMENT OF DEFICIT

FOR THE YEAR ENDED DECEMBER 31, 1988

	1988	1987
DEFICIT - Beginning of the Year	\$ (11,856)	\$ (4,483)
Excess of expenses over revenue for the year	(23,013)	(7,373)
DEFICIT - End of the Year	<u>\$ (34,869)</u>	<u>\$ (11,856)</u>

See accompanying Notes to the Financial Statements

## WESLEY URBAN MINISTRIES INC.

3

STATEMENT OF REVENUE AND EXPENSES  
FOR THE YEAR ENDED DECEMBER 31, 1988

	1988	1987
<b>REVENUES</b>		
Church		
Block grant, Division of Mission	\$ 160,000	\$ 155,000
Hamilton Presbytery Mission Council	1,600	73,600
Local churches	47,055	29,492
Individuals	56,501	37,981
Offerings	253	248
Division of Mission	2,496	304
Grants		
Region of Hamilton-Wentworth	40,000	38,870
United Way	7,500	
Government of Canada	108,165	147,071
Government of Ontario	96,469	47,090
Rental income	16,893	16,328
Fees for services		
Projects	2,146	12,776
Program services	6,313	10,650
Community		
Corporate donations	12,019	11,130
Groups and individuals	30,622	16,728
Interest	280	99
	<u>588,312</u>	<u>597,367</u>
<b>EXPENSES</b>		
Salaries	422,175	381,232
Benefits	32,413	22,827
Staff and board development	2,534	1,444
Supplies for programs	23,409	34,261
Office supplies	13,170	21,883
Utilities	27,882	25,927
Telephone	13,676	11,481
Realty taxes	869	545
Maintenance, supplies and janitorial	19,302	18,873
Building and property	22,831	54,177
Insurance	5,528	1,843
Travel and van	7,842	7,263
Legal		3,462
Audit	1,500	1,200
Bank charges	4,607	1,029
Write-off of prior year's grants	2,379	
Fund raising	5,970	11,643
Miscellaneous	4,855	1,592
Grant repayment - re 1985/86	383	4,058
	<u>611,325</u>	<u>604,740</u>
<b>EXCESS OF EXPENSES OVER REVENUE FOR THE YEAR</b>	<u>\$ (23,013)</u>	<u>\$ (7,373)</u>

See accompanying Notes to the Financial Statements



WESLEY URBAN MINISTRIES INC.

4

NOTES TO THE FINANCIAL STATEMENTS

DECEMBER 31, 1988

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Revenue

Revenues and expenses are recorded on an accrual basis. Grants received to offset specific project costs are recognized as revenue to the extent of the costs incurred. The excess of grants received over costs to date is treated as deferred revenue.

(b) Fixed Assets

(1) Land and building are recorded at no value.

(2) Administrative equipment and furniture are expensed when purchased.

2. CONTINGENT LIABILITY

During 1981, the corporation guaranteed a mortgage in favour of the City of Hamilton on behalf of the trustees of Zion United Church. The mortgage principal is being forgiven at a rate of \$ 41.05 a day beginning January 1, 1982 through the 25 year life of the mortgage by the provision of community services to be rendered by the corporation of Kirkendall - Strathcona Neighbourhood House of Zion United Church. The unforgiven balance at the end of the year approximates \$ 270,000. The mortgage has no provision for interest on the unforgiven balance.

3. LOAN FROM HAMILTON PRESBYTERY MISSION COUNCIL

This loan bears no interest and its term of repayment is described in the Mission Council minutes of May 13, 1987 as "when W.U.M. receives it from Conference" (capital funds).

4. MINISTRY OF HOUSING PROJECT

Wesley Urban Ministries Inc. has been approved as a sponsor for a non-profit housing project. Under this arrangement, Wesley Urban Ministries is the registered owner of the project as well as the registered mortgagor.

All revenues, expenses, assets and liabilities of this project are essentially the responsibility of the Ministry of Housing for the Province of Ontario, and accordingly are not included in these financial statements.

# A Place For The People

*From very young to very old, Wesley Urban Ministries works with people who want to find better ways of living in God's world*

by Rebekah Chevalier

More than 30 years ago, a United Church outreach ministry started in a church building in downtown Hamilton. Over the years, its name has changed, it has moved to new quarters, its buildings have been renovated and it has added new programs, but Wesley Urban Ministries has never lost sight of people's needs in the areas it serves.

Wesley Urban Ministries today consists of two buildings in different parts of the city. Kirkendall Strathcona Neighbourhood House occupies two thirds of the Zion United Church building. (The other third is retained for the congregation.) It's located in a residential area that is predominantly Portuguese and Italian, as well as partly Spanish. The staff at Kirkendall Strathcona speak Italian, Portuguese, Spanish, Polish and French and they're able to take on advocacy work for people in such areas as immigration, Workers' Compensation and old age security.

A parent-run daycare centre operates out of the building and the staff at KS House organize social and recreational programs for youth and adults. The aim of these community development activities is to help people get together.

One area that KS House has been focusing on is special needs programs for children. These programs, which KS tries to do in conjunction with separate and public school boards, are geared to children suffering from various forms of abuse, either neglect or sexual and physical abuse.

KS House didn't initially start out to operate these programs, but the need for them became obvious, explains Arthur Verrall, director of services for Wesley Urban Ministries and a United Church minister. "We do see a fair number of children that show signs of many of these kinds of abuse and, in trying to do activities with them, very often these things become obvious," he says. A local doctor with experience in this area has become an advisor and has helped in setting up these programs.

The special needs programs include day camps as well as programs for children during professional development (PD) days and through the Christmas and winter breaks.

"The report that the director gave me at the last PD day

program noted that the children who were being brought demonstrated a much higher level of disturbed behaviour than we had noticed before," says Verrall. He wonders whether this is because KS House is getting a reputation for this kind of program and more abused children are being brought to them. If this is the case, they may have to look at what impact this would have — whether, for instance, it would mean more and different staff would be needed to deal with it.

Across town from Kirkendall Strathcona House is the Wesley Centre, the second part of Wesley Urban Ministries. The Centre is housed in a four-storey building that used to be a paper mill. The large service elevators are the only reminder of the building's original purpose. Today, it's the home of a caring, responsive ministry that reaches an average of 170 people a day.

The Centre works with the urban poor and Arthur Verrall offers this profile of the people it serves: "They are within walking distance of the Centre. Most are in rooms or hostels or on the street. (Some) are moving through, transient. Most people would be on assistance of some kind, (though) some are marginally employed." While ages range from children to senior citizens, there are more in the 25-55 age range and more males than females. Verrall notes, however, that they have started to see an increase in 12 to 25-year-old males.

The Centre maintains a drop-in that offers survival-level services. It is, first of all, a place to go. Beginning at eight in the morning, the Centre provides tea and coffee, milk, juice and doughnuts or muffins. Soup is available at 10:00 and a hot lunch is served at 1:00. The centre provides washroom facilities, showers and toiletries such as toothbrushes and razors.

On one of the upper floors there's a store. The staff can make out slips which people take up and exchange for the goods they need. The store's shelves hold clothing of all kinds and sizes. There are also some household items like pots and pans and a small amount of furniture and bedding. Another area of shelves holds food supplies. But the rows of tins and



boxes are reserved, for the most part, for the use of families with children. The Centre does not charge people for any of these items.

On the Centre's second floor are rooms where people can read or play a game of cards or pool. Specific activities, such as movies, are organized for those who want to attend. The second floor also houses a chapel, where a service is held every Sunday.

Advocacy is also an important part of the Centre's work. Last year, it made links with a welfare worker and a public health nurse who now come in once a week to meet with those requiring their services.

"We're trying to do more in terms of life skills," says Verrall. He explains that many of the people come from backgrounds that haven't given them much experience in self-discipline or in dealing creatively with problems. This means that if they do get into a work situation or go back to school, the first difficulty they encounter throws them. "(We're trying to provide) more stability, more services, more immediate response so that small problems don't become big ones," says Verrall.

Perhaps one of the better-known programs of Wesley Urban Ministries is its Christmas Assistance Program. As part of this program, two Christmas stores are set up, one in KS House for families and one in Wesley Centre for singles. People are registered through a central clearing house to avoid duplication and to make sure no one is left out. The stores try to duplicate a normal shopping experience. After registering, people are given an appointment time. When they go to the store, they're handed a certain number of tokens which they can spend as they wish on the food and clothing. In addition, they can choose one large and one small gift. The food, clothing and gifts are new items, the vast majority of which have been donated. Shoppers can also take what they need at no cost from an area that has used items. The store for families runs 10 days, while the store for singles runs four. Last Christmas, the stores served 2,539 people.

A chief characteristic of Wesley Urban Ministries is its ability to respond and develop creative programs to meet community needs. One recent example of this is its housing venture. When staff realized the critical need for long-term,



Photos by Rebekah Chevalier

**Kirkendall Strathcona Neighbourhood House: Creative programming to meet community needs.**

subsidized housing for single people in the downtown area, it sent an application for funding to the provincial government.

With government funds, they purchased and refurbished three houses for single people, which opened at the end of February. There are four people to a house and Wesley Urban Ministries hopes to have four more houses by the end of the year. It has already received the green light from the provincial government to purchase two more and they are negotiating for funds to purchase another two. The aim over the next few years is to provide housing for 60 people.

It seems Wesley staff never stop planning for the future and developing new programs. New plans include hiring more staff to work with seniors, youth and people on the street. Wesley Urban Ministries has received provincial government funds that have allowed it to hire one half-time seniors' worker for KS House and one for Wesley Centre, with the expectation that these will develop into full-time positions by the end of the year. In addition, Wesley has applied for staff funding at KS House to work on developing recreational activities for youth as well as for two more staff to work primarily on the downtown streets.



## Staff 1988

### REGULAR STAFF

Birgitt Bolton  
Jose Campos  
Aurelia Di Luca  
Paul Foote  
Jerry Giacinti  
Rick Gray  
Cheryl Gruener  
Shirley Harding  
Gertie Hillen  
Bette Goddard  
Marg Kowalski  
Anna Marie Martello  
Nick Monti  
Joan Moffitt  
Francis Napoli  
Eve St. Pierre  
Patti Seredoka  
Lisa Soucy  
Dwaine Taylor  
Ed Tolan  
Art Verrall  
Deborah Shaw

### TEMPORARY OR GRANT STAFF

Sharon Biggley  
Wayne Gallagher  
Bernie Morash  
Dave Zember  
Ken Cavanay  
Bill Butt  
Marlon Allen  
Joe Hunter  
Calvin  
Patricia Lapointe  
Barbara Taylor  
Ellwood Johnson  
Bill Eager

### CO-OP STAFF

Shawn Latreille  
Tara Drabik  
Hailey Campbell

## Key Volunteers

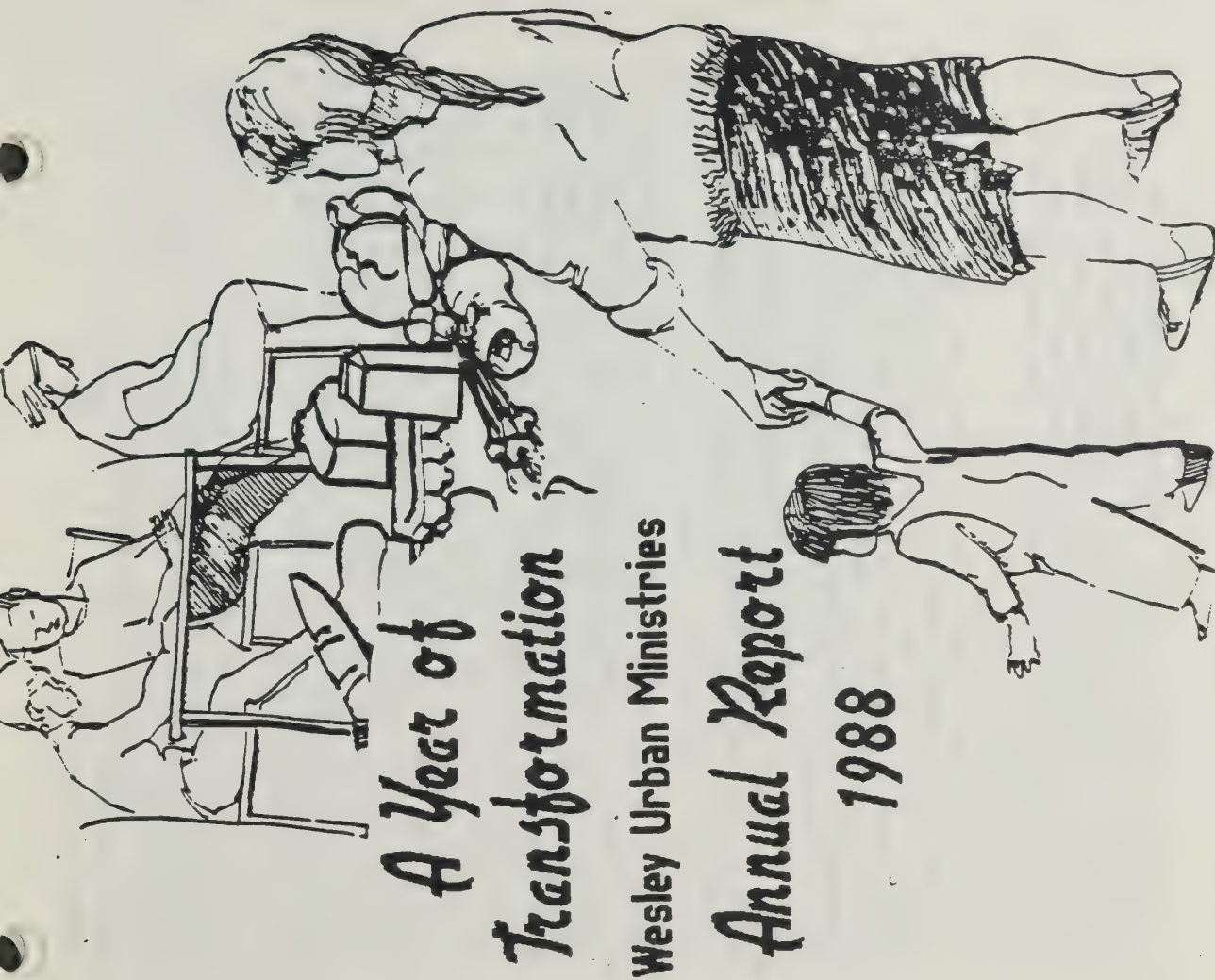
Allan, Mamie  
Begg, Mildred  
Blackmore, May  
Collington, Florence  
Deas, Ruth  
Fairfax, Don  
Forster, Karen  
Legere, Doreen  
Lolcama, Lew  
MacKay, Helen  
Moore, Joyce  
Porter, Bea  
Pype, Irene  
Silva, Lidia  
Vogt, Ruth  
Wales, Elmer  
Wiley, Joan

**Total Number of Volunteers:**

**2,423**

**Total Number of Hours**

**Donated: 27,122**



# A Year of Transformation

**Wesley Urban Ministries**

## Annual Report

**1988**

**Wesley Centre**

**Kirkendall-Strathcona**

**Neighborhood House**

**WUM Non-Profit Housing**

# Report of Chairman

Now - what a year we have had at Wesley Urban Ministries.

Our theme for this annual report is "Transformation". A very appropriate theme considering the year that has just passed.

It was mentioned in last years report that we were getting involved in housing for the "hard to house". This has come about. We now have homes for twelve people in the houses. One of the tenants - whom we used to find sleeping on Wesley Urban Ministries steps on many mornings - is now very proud to have a room in a house that he can call home. Some of the tenants are acting as buddies for others, and another chap bought house plants to make the place more like home. We are very pleased with the transformation that is taking place.

You will recall that during the past year we have been telling you about a "Service Center" which will be operating out of Kirkendall Strathcona Neighbourhood House. This is about to happen, within the next month or two. It has taken a lot of work on behalf of the director and staff, but it is so exciting to see these projects develop.

During the past year - as is usual - we ran into financial problems in September, October, November. This led us to appeal to the congregations for their financial support, in the form of a once only donation of 2% of their annual budget. As of now we have heard from a few churches only, and we are unable, because of this to state how many are planning to support us, but we have faith that we will not be let down. We are finding that more and more of our staff time is being taken up in securing funding to keep us solvent.

This past year has been wonderful. Our buildings have been improved, our staff has become more congenial, our programmes have been expanded, and thanks to our Director, Mrs. Bolton, our profile in the community, both church and secular, has improved tremendously, and the future looks bright.

Jack Moore closed his 1986 report by saying, "Wesley Urban Ministries is on the threshold of great new achievements". Perhaps we have taken a step onto that threshold.

It has been a privilege and a pleasure to be part of the "transformation" of the past two years.

Thanking you for the support that has come to Wesley Urban Ministries, from all segments of the church and community during this time.

Chairman of the Board,

*Ernest S. King*  
Ernest S. King

# Report of Executive Director

## "TRANSFORMATION"

At this time I would like to take you on a journey into Wesley Urban Ministries as it really is today. We are an organization that is undergoing a great transformation, which simply means that our form is changing a great deal but we are not altering the basic values upon which our services are built. If the values are the same, why change the form, you might ask.

Let me first address the values. We believe that we can make a difference to those living in poverty by providing them with sanctuary, opportunities for socialization, personal growth, and the development of self esteem. We believe that each person, no matter how far they have fallen by our social standards, is a person first, worthy of our love, and with untapped potential for growth and fulfillment.

We believe that those who come to us in need also have something to give and that this must be recognized. We believe in working "with" these people, not "for" them or "to" them.

Wesley Urban Ministries continues to change to ensure that we are upholding these values. Because we are a front line organization we find that the needs of the people coming to us for assistance change and as an organization we continually need to be flexible to changing the services/programs we offer to be able to meet these needs. Thus, our form but not our values continues to change.

Contained in this report is a summary of the services offered in 1988, which will give you an idea of the many ways that we try to be responsive to the needs of the people in Hamilton. Wesley Urban Ministries through these services/programs provides one section of the social safety net for the people in Hamilton who fall between the cracks of the formal social service system. Our transformation must continue so that we can be where we are most needed by the people.

I thank all of you for supporting this work with your many gifts. It is because of you as donors, volunteers, and staff that this exciting Ministry is possible.

*Birgitt Bolton*

Birgitt Bolton  
Executive Director



# Report of Director of Services

Together, or not at all

I am a child of the depression. I remember, with my brother, balancing the single bag of coal on our wagon. I remember, being the oldest, going off to the grocer with a note, and no money. I remember the Saturday night trip to the corner store and the agony of decision around how to spend my three cents. I remember when my mother began going out after supper every night, and not returning while long after we had gone to bed. She had a job, washing dishes in a restaurant. We grew up not knowing we were deprived, nor how much of the juices of life were squeezed out of our parents during those years.

And now I think about the people who turn to Wesley Urban Ministries out of need, and how, what we do, how we respond, can enable them to enhance their life, and that of their children. Every day we are surrounded by these vast, unique reservoirs of human resources that are slowly going to waste. Then I think that fifty years later, with all our increased knowledge, tremendous advances in almost every field of human endeavour, we have managed to impoverish God's world, and God's people. This is not a hare and tortoise race. The poor are not going to catch up, but fall farther behind. Therefore the well-to-do will have to come back to them.

I don't apologize for our responses to expressed basic needs. Food for the hungry, clothes for the needy, shelter for the homeless, security and friendship for the lonely, help for the immigrant, the injured worker, the unemployed, the run-away, the abused, the victim of violence. What I would like to see us do better is to help victims to build, or rebuild their lives. It cannot be done for them, but it could be done with them. Are we enabling more people to find "space" and "friends", to discover more resources within themselves, their neighbours, friends and family?

When people feel they have some control over their own lives, they believe they can help "transform" their world, not only for themselves, but for others, especially their children. So the cook preparing soup, the advocate assisting the illiterate, the youth worker being available, the counsellor listening, the volunteer assisting a person to find a coat, are all working with people so that people can become what God intends them to be. "In as much as you ...." probably has been there all along, an inheritance, family, friends, church. Power to transform? The future mine to create? Where would I be without mine inheritance? God's saying, "together, or not at all!"

*Art Verrall*

Art Verrall  
Director of services

## Board of Directors 1988

Mr. Ernest King, CHAIRMAN

Mr. Charles W. Scott, VICE-CHAIRMAN

Mr. Wm. Ian Gordon, SECRETARY

Mr. Phill Burke, TREASURER

Mr. Jack H. Moore, PAST CHAIRMAN

Rev. Charles P. Beaton, CHAIR - SERVICES

Mr. Jack C. Jaggard, CHAIR, PERSONNEL & VOLUNTEERS

Rev. Stephen Hershey, CHAIR- FINANCE & PROPERTY

Mr. Borden Evans, CHAIR- PUBLIC RELATIONS & FUNDRAISING

Mr. Donald P. Fairfax,

Mr. Bruce McDerment \*

Mr. Ross Robinson

Rev. Paul Crittenden

Mr. Frank Whitehead

Mr. Ian Godwin \*

\* Retired from the Board of Directors in 1988



# Standing Committees 1988

## SERVICES COMMITTEE

Rev. Chuck Beaton, CHAIRMAN

Mr. Charlie Scott

Rev. Paul Crittenden

Mr. Tosh Nanba

Mr. Don Deas

Mr. Russ Wilson \*

Joyce Moore

Joan Rogers

## FINANCE & PROPERTY COMMITTEE

Rev. Stephen Hershey

Mr. Phil Burke

Ian Godwin \*

Ian Gordon

## PERSONNEL COMMITTEE

Jack Jaggard

Charlie Scott

Jack Moore

## PUBLIC RELATIONS & FUNDRAISING

Borden Evans

Ross Robinson

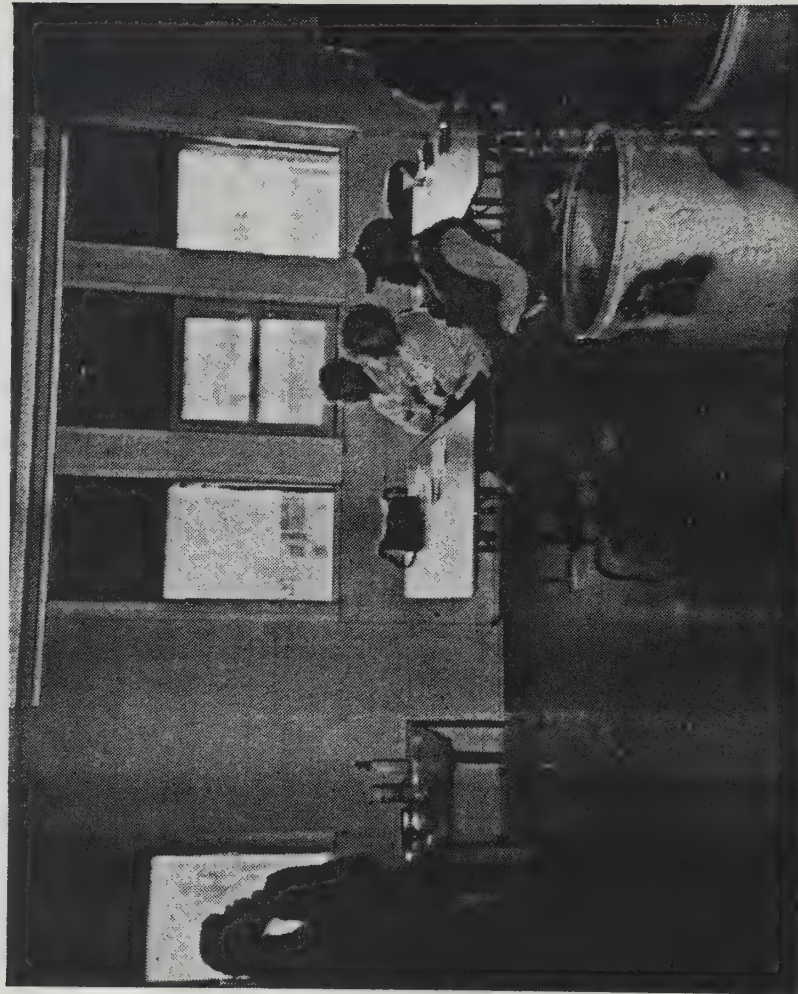
Don Fairfax

Bruce McDerment \*

Ernie King

\* Retired during the year 1988

Those Who Came For Help  
Now Share Their Gifts  
With Us



**Successful Job Retraining  
We Don't Know What We'd  
Do Without Them**



## Advisory Committees 1988

### CHRISTMAS ASSISTANCE PROGRAMME (Christmas Store)

Deas, Ruth  
De Grow, Evelyn  
Fairfax, Don  
Piercy, Shirley  
Scott, Charlie  
Wales, Elmer

### VOLUNTEER ADVISORY COMMITTEE

Begg, Mildred  
Bryce, Joann  
Deas, Ruth & Don  
Fairfax, Don  
Feenstra, Margaret  
Holcoma, Lew  
Lowden, Donna  
Massey, Joann  
Merritt, Marjorie

### SENIOR COMMITTEE

Campanella, Joseph  
Canella, Vincenzo  
Companaro, Fred  
Cordeiro, Maria  
D'ortenzio, Michele  
Fairfax, Don  
Ferreira, Laudelino  
Gaulton, Gloria  
Jose, Constanca  
Lima, Maria  
Pilato, Calogero  
Pretto, Luigia  
Rodriguez, Eduardo  
Sardo, Salvatore

### SPECIAL EVENTS COMMITTEE

Barbosa, Serafina  
Campos, Ligia  
De Sousa, Lidia  
Graca, Maria  
Mattina, Luigi  
Neves, Lucinda  
Ressurreicao, Constantina  
Tinebra, Lina



# Senior Home Support

WESLEY URBAN MINISTRIES  
Balance Sheet  
December 31, 1988.

January 15/89

## ASSETS

Current Assets:	
CURRENT ACCOUNT	(49,461.35)
current	0.00
SAVINGS ACCOUNT	1,407.37
TERM DEPOSITS	0.00
PETTY CASH	920.00
ACCOUNTS RECEIVABLE	64,374.98
Total current assets	17,241.00
	17,241.00

## LIABILITIES AND SHAREHOLDERS' EQUITY

Current liabilities:	
PREPAID INSURANCE	(1,090.50)
PREPAID EXPENSES	(4,329.90)
DEFERRED BLOCK GRANT	0.00
DEFERRED INCOME	2,999.87
ACCOUNTS PAYABLE	14,653.91
LOAN - MISSION COUNCIL	25,000.00
ACCUMULATED WORKERS COMP	(256.36)
UIC PAYABLE	(36.43)
CPP PAYABLE	(21.50)
INCOME TAX PAYABLE	(89.35)
OHIP PAYABLE	(14.87)
UC OF C PENSION/BEN. PAYABLE	(0.12)
HEALTH BENEFITS PAYABLE	0.06
PAYROLL PAYABLE	(0.09)
ENDOWMENTS	0.00
STAFF FUND	332.60
Total current liabilities	37,147.32

Shareholders' equity:	
NET WORTH	(11,853.89)
Profit (loss) for period	(8,052.43)
Total shareholders' equity	(19,906.32)
	17,241.00

This program is designed to draw seniors to our centres for activities and socialization thus reducing their isolation, providing a sense of purpose, and providing our workers with contact and opportunity to identify basic health, welfare, emotional and social needs. Based on identified needs, programs will be developed and implemented.

Have contact with shut-in's is another aspect of this service allowing the worker to check on the living conditions and basic welfare of these seniors while encouraging participation in outside activities and providing companionship.

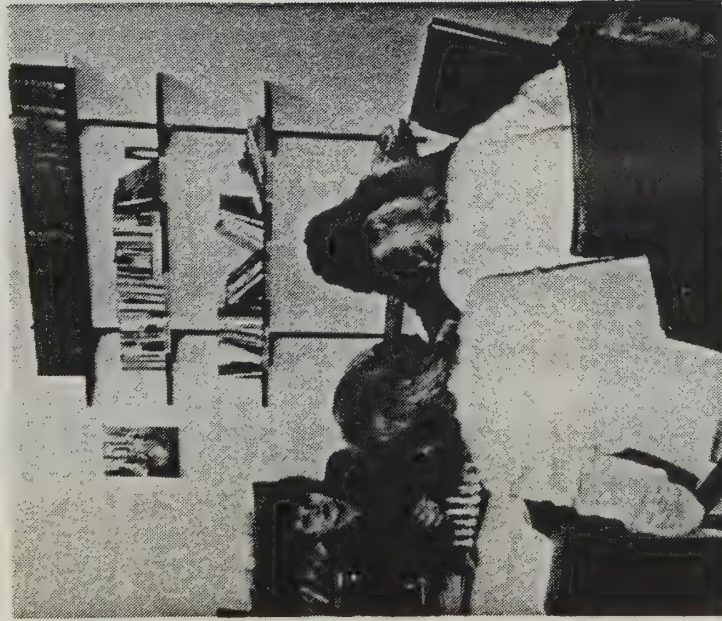
## WUM Non-Profit Housing For Singles

Providing support services, education, and programs that will provide opportunity, resources, and encouragement to the "HARD TO HOUSE" singles living in the alternative family housing operated by Wesley Urban Ministries.

Social & life skills training provided towards the development of skills, respect, and pride necessary to care for themselves and their homes in a socially acceptable manner and thus to be more a part of mainstream society.

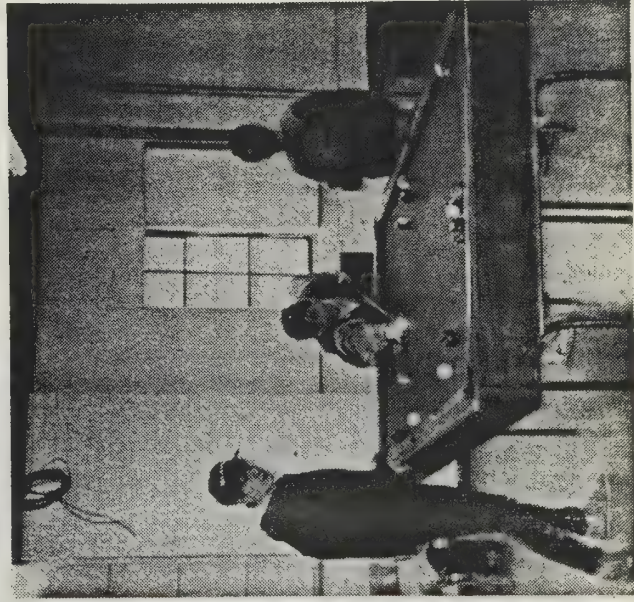


# Programs/Counselling For Youths of the Street



## BEYOND SURVIVAL SERVICES

Offering life & social skills training, recreational resources, counselling, referral & advocacy, this service takes the marginalized and street youth one step beyond the basic survival level assistance and begins the process of growing to one's potential. Individual, small and larger group activities emphasize the individuals ability to get along with one another and the development and maintenance of tolerance and understanding of individual needs, ideas, opinions, etc.



# Community Development



Community development for all aspects of MM programming from both centres. Be the community physical/geographical or a community of people with like situations, concerns, etc., the goal is to draw its members together around one common factor.

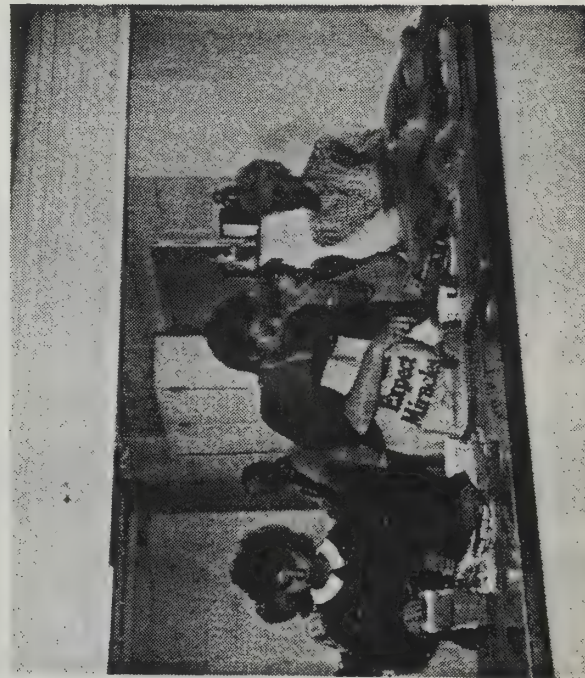


# Volunteerism



Volunteerism plays a large part in Community Development as members of the community at large are involved in helping other communities thereby creating a sense of the larger community and providing each with a sensitivity of the other.

Research is also a component of this service.



# Multicultural Services

Designed to provide instrumental counselling to the very diverse community served by Kirtendall Strathcona Neighbourhood House while endeavouring to improve relations between these different groups of people.

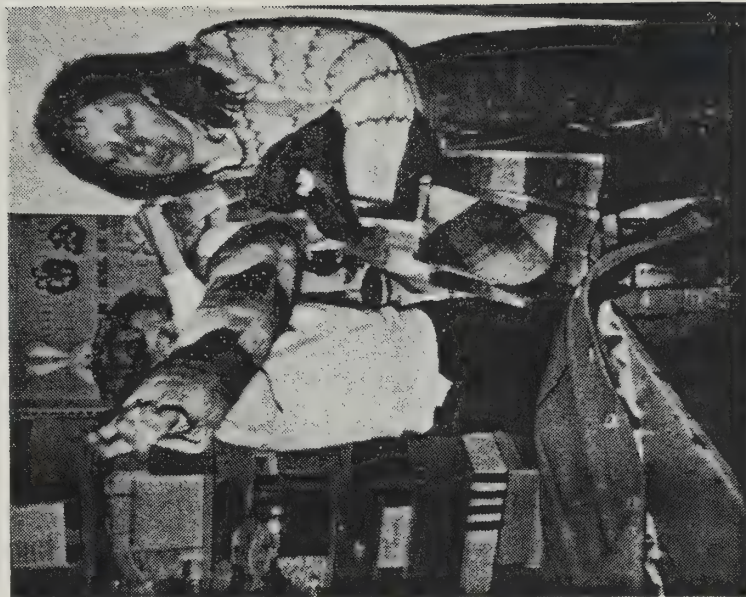
Providing information, advocacy and referral as part of the education process necessary to enable these people to be active, contributing members of society, and to understand and exercise their rights as members of the Canadian Society.



OUTREACH SERVICE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTAL / PROGRAM
IMMIG.	44	38	27	35	32	30	35	21	36	30	25	24	377
U.I.C.	84	61	51	33	68	33	37	31	31	33	39	52	553
WPK. COMP.	102	106	42	44	116	83	61	61	78	84	80	49	906
WELFARE	32	26	13	23	32	14	14	7	13	17	10	33	234
C.F.P.	119	121	102	88	118	66	79	71	93	98	86	81	1122
FAM. BNFTS	31	19	17	21	29	27	27	16	40	29	15	16	287
OLD AGE	144	157	142	87	11	76	91	140	106	66	73	45	1138
INC. TAX	48	194	367	317	84	49	30	19	9	11	16	14	1158
MEDICAL	87	75	40	40	58	57	53	58	46	39	55	16	624
LEGAL	56	36	33	31	23	32	27	21	28	50	32	18	387
CITIZENSHIP	6	7	5	4	2	5	1	1	7	5	3	0	46
OTHER	77	95	87	29	130	153	98	61	126	100	127	105	1188
TOTAL / MONTH	830	935	926	752	703	625	553	507	613	562	561	553	8020



# Emergency Assistance



To provide basic, survival level assistance throughout the day to the marginalized and homeless in whatever capacity they need including food, clothing, laundry and personal hygiene facilities, advocacy and counselling. Endeavouring to improve the quality of life for these people and to provide them with a place of safety and social contact.

## CHRISTMAS ASSISTANCE PROGRAM

A unique assistance program designed to provide not only the basic necessities of food and clothing, but also personal & gift items to the poor and working poor in the Region. The "STORE" method used enables those in need to accept assistance while maintaining their sense of dignity, pride, and self-respect.

The involvement of volunteers in this service is of major importance as it effectuates the process of community member helping community member.

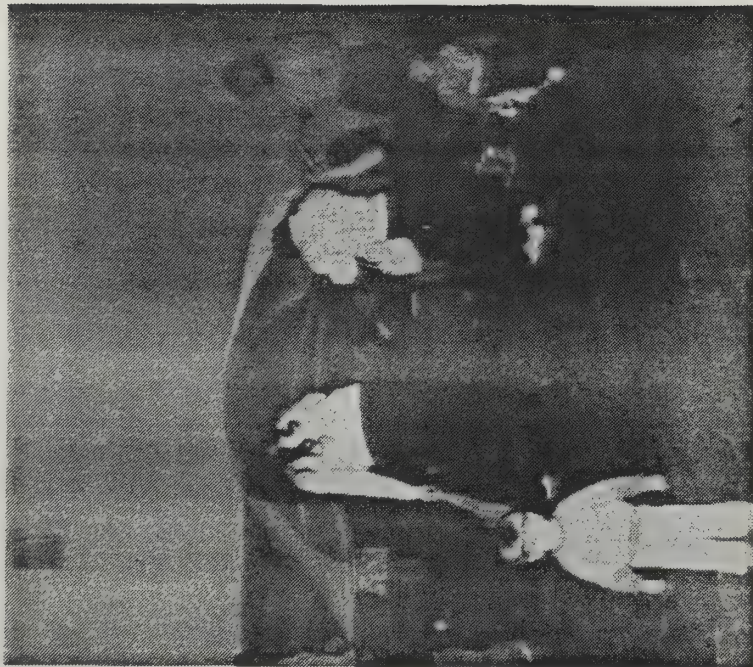
## Building Community

WESLEY URBAN MINISTRIES 1988 YEAR-END SUMMARY  
TOTAL AVERAGE DAILY DROP-IN NUMBERS

		TOTAL DAILY AVERAGE NUMBER OF PEOPLE PER MONTH (OVERALL)												YEARLY AVERAGE		
GROUPING		JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	AVERAGE		
CHILDREN		per day														
from 0 to 5	to 16	8	4	8	4	5	4	4	6	5	8	4	7	6		
6 to 16	17 to 29	9	6	11	4	6	6	5	5	8	10	6	8	7		
sub-total		16	10	18	8	11	11	9	11	14	19	10	14	13		
WOMEN		per day														
from 17 to 29	to 49	9	8	11	6	7	8	9	9	7	6	11	9	8		
30 to 49	50 to 65	7	5	9	6	5	4	5	8	7	4	8	6	7		
50 to 65	over 65	4	3	3	5	4	4	5	4	4	4	3	5	4		
sub-total		33	28	34	24	23	24	27	32	29	20	37	29	28		
MEN		per day														
from 17 to 29	to 49	17	14	17	12	12	14	13	16	18	12	17	14	15		
30 to 49	50 to 65	16	13	17	23	23	26	25	18	21	26	20	14	20		
50 to 65	over 65	48	49	48	36	36	43	51	41	53	37	48	41	44		
sub-total		131	124	134	119	119	125	140	123	138	131	133	123	128		
TOTAL AVG. DAILY USE (overall)		180	162	187	150	153	160	177	166	180	170	180	166	169		



Building Community



Children - Our Future

SUMMER CAMP SERVICES

Providing a summer camp experience to the children of the working poor within the community. Full integration of Special needs children encourages understanding and sensitivity towards them and provides them with a healthy and enjoyable experience in which they are very much a active player.

NURSERY SERVICES

Providing quality, low cost day care services to the community. This service is operated by Northwest Communicare - a non-profit parent run organization - from our facilities in Kirtendall-Strathcona Neighbourhood House

COMMUNITY INTEGRATION & EDUCATION

Social, educational and recreational opportunities provided at an affordable level to all age groups and backgrounds. These programs are provided at the lowest possible cost to enable participation of the working poor and poor who utilize the services of W.M. Members of the community are encouraged to organize and run programs of their own choosing.

Full integration of Special needs children is a large aspect of this service

MONTHLY PROGRAM/SERVICE USAGE

PROGRAM SERVICES	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	YEARLY TOTAL/PROGRAM
PRESCHOOL	144	109	75	20	88	60	0	0	90	192	188	0	966
AFTERFOUR	366	335	0	40	300	270	0	0	300	325	328	0	2264
COMPUTER	391	358	386	155	312	307	924	900	0	110	160	280	4283
P.D. DAYS	23	27	13	8	5	0	0	0	18	32	100	0	226
BREAK'S	0	0	37	0	0	0	0	0	0	0	0	419	456
ADULT SPT.	39	37	93	86	41	39	38	42	39	37	39	41	571
SATURDAY	50	83	100	48	150	68	30	0	0	0	0	0	529
MOM'S GRP	9	0	45	20	0	0	0	0	18	27	26	18	163
SPEC. EVENT	64	20	19	72	340	16	17	41	202	15	18	66	890
SENIORS	19	36	18	42	17	16	0	0	38	32	52	0	270
TEEN PRG.	76	74	0	0	0	17	0	0	0	0	0	0	167
SUMMERCAMP	0	0	0	0	0	0	900	880	0	0	0	0	1780
TOTAL/MONTH	1181	1079	786	491	1253	793	1909	1863	705	770	911	824	12565

FOR ACTION

9.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. E. W. Kowalski  
Director of Community Development

DATE: 1989 July 11  
COMM FILE:  
DEPT FILE: 800-0223.4

SUBJECT: Landsdale Neighbourhood Improvement Programme;  
1988 Audited Statements and Annual Report for St. Matthew's House

RECOMMENDATION:

That, the attached audited financial statements and annual reports for 1988 for St. Matthew's House be adopted.

*E. W. Kowalski*

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

On 1980, October 20 an Agreement was signed by the Synod of the Diocese of Niagara with the Corporation of the City of Hamilton setting out the terms and conditions of the mortgage of \$240,911. granted for the renovation of St. Matthew's House.

The Agreement stipulates that a per diem rate is earned by the mortgagor until 1989 so long as the other terms and conditions are met. These conditions include the submission of an annual report and audited financial statements to the City of Hamilton. Therefore, there is one year left in the Agreement.

c: Mr. B. Hill, Senior Accounting Clerk  
Treasury Department

# ST. MATTHEW'S HOUSE

414 Barton Street East • Hamilton, Ontario L8L 2Y3  
Telephone 523-5546

MARGARET NIKOLAUS  
Chairman, Board of Directors

THE REV. CANON J. H. ROGERS  
Executive Director

1989 05 29

Mr. E.W. Kowalski  
Director  
Department of Community Development  
Corporation of the City of Hamilton  
P.O. Box 2040  
Hamilton, Ontario  
L8P 1H4

JUN 10 1989  
810-0072  
810-0043  
JUN 10 1989  
JHR

Dear Mr. Kowalski:

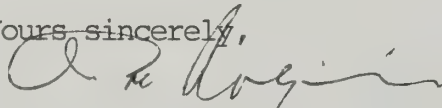
Re: St. Matthew's House Neighbourhood Improvement  
Program - Agreement

In accordance with the agreement pertaining to the improvements to St. Matthew's House, I am enclosing copies of the following for your information:

1988	-	Audited Statement
1988	-	Annual Report

There has been no deletions to the services and programs during 1988.

Yours sincerely,



(the Rev. Canon) J.H. Rogers  
Executive Director

JHR/sd

encl:





ANDREW P. SHERWOOD  
CHARTERED ACCOUNTANT

TELEPHONE 549 4129

218 MAIN ST. EAST  
HAMILTON, ONT. L0M 1M5

ST. MATTHEW'S HOUSE  
FINANCIAL STATEMENTS  
AS AT DECEMBER 31, 1988

ANDREW P. SHERWOOD  
CHARTERED ACCOUNTANT

TELEPHONE 549 4129

610 MAIN ST.  
HAMILTON, ONT. L

May 1, 1989

AUDITOR'S REPORT

To The Board of Directors of St. Matthew's House:

I have examined the balance sheet of St. Matthew's House as at December 31, 1988 and the statements of operations and accumulated fund for the year then ended. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as I considered necessary in the circumstances.

In my opinion, these financial statements present fairly the financial position of the company as at December 31, 1988 and the results of its operations for the year then ended in accordance with generally accepted accounting principles.

ANDREW P. SHERWOOD

*Andrew P. Sherwood*  
CHARTERED ACCOUNTANT

ST. MATTHEW'S HOUSE  
BALANCE SHEET  
AS AT DECEMBER 31, 1988

ASSETS

CURRENT ASSETS

	<u>1988</u>	<u>1987</u>
Cash .	100	100
Bank - General	-	13540
Term deposits (Note 1)	5000	80000
Regional Social Services receivable	26791	22426
Accrued interest	-	1250
Deposit - 410 Barton St. E., Hamilton	-	1000
	<u>31891</u>	<u>118216</u>

INVESTMENTS

Investments (Note 2)	39412	-
Funds held by Diocese of Niagara	273792	201520
	<u>313204</u>	<u>201520</u>

FIXED ASSETS

Vans - at cost	37197	37197
Less: monies contributed to purchase	13716	13716
	<u>23481</u>	<u>23481</u>
Land and building - at cost	127123	61979
Less: monies contributed to purchase	49050	49050
	<u>78073</u>	<u>12929</u>
	<u>101554</u>	<u>36410</u>
	<u>446649</u>	<u>356246</u>

LIABILITIES AND EQUITY

CURRENT LIABILITIES

Bank overdraft	5728	-
Accounts payable	1032	1000
Employees' deductions payable	15786	18000
Camp Fund - J. McLelland Fund	17059	16940
Net funds received in advance (Note 3)	33818	60874
	<u>73423</u>	<u>96814</u>

ACCUMULATED FUND

	<u>373226</u>	<u>259432</u>
	<u>446649</u>	<u>356246</u>

APPROVED ON BEHALF OF THE BOARD



ST. MATTHEW'S HOUSE  
STATEMENT OF ACCUMULATED FUND  
FOR THE YEAR ENDED DECEMBER 31, 1988

	<u>1988</u>	<u>1987</u>
BALANCE - Beginning of year	259432	278707
ADD (less): net receipts over (under) expenses for year	103601	(19275)
net revenue Seniors program	10193	--
BALANCE - end of year	<u>373226</u>	<u>259432</u>

ST. MATTHEW'S HOUSE

STATEMENT OF OPERATIONS

FOR THE YEAR ENDED DECEMBER 31, 1988

<u>RECEIPTS</u>	<u>Social Services</u>	<u>Day Care</u>	<u>Total</u>
Diocese of Niagara - grant	49000		49000
- interest	20078		20078
Bequest - Iva Loyst	114763		114763
Donations	108625		108625
Regional Social Services	223	374305	374528
Parents' fees		6774	6774
With Turner Foundation	5000		5000
Grants : Emergency Shelter			
Assistance Program	15000		15000
- Youth & housing - Admin.	16479		16479
- Resource Teachers -			
Admin.	17000		17000
- Employment program	12230		12230
Regional Grant	8650		8650
Gasoline rebate	84	84	168
Challenge 88	2818	3290	6108
Rent - office and memberships	314		314
Interest	4785		4785
United Way	53312		53312
<u>TOTAL RECEIPTS</u>	<u>428361</u>	<u>384453</u>	<u>812814</u>
<u>EXPENSES</u> - per schedule	<u>323315</u>	<u>385898</u>	<u>709213</u>
<u>NET RECEIPTS OVER (UNDER) EXPENSES</u>			
<u>FOR THE YEAR</u>	<u>105046</u>	<u>(1445)</u>	<u>103601</u>

ST. MATTHEW'S HOUSE

SCHEDULE OF EXPENSES

FOR THE YEAR ENDED DECEMBER 31, 1988

	<u>Social Services</u>	<u>Day Care</u>	<u>Total</u>
Wages	175368	279412	454780
Casual Labour	1677	443	2120
Employees' benefits	21109	30706	51815
Janitorial supplies	1181	1181	2362
Repairs and maintenance	5446	4786	10232
Office	5098	2185	7283
Clients' Assistance	89688		89688
Equipment	1422	2465	3887
Transportation and training	395	2637	3032
Insurance - building	509	600	1109
- vehicles	4412	3375	7787
Publicity	231	363	594
Programs	1439		1439
Day Care Food		17957	17957
Field trips		1448	1448
Consumable supplies		4554	4554
Van expense	641	18495	19136
Legal and audit	500	600	1100
Bank charges	817	817	1634
Miscellaneous expense	25	35	60
Utilities - 412 Barton St. E.	5092		5092
- 414 Barton St. E.	5676	5676	11352
Half day - Rent		3600	3600
- Telephone		518	518
- Food		1764	1764
- Equipment		177	177
- Advertising and promotion		205	205
Telephone	1889	1889	3778
Rent	700		700
	323315	385096	709213



ST. MATTHEW'S HOUSE

Schedule of Net Funds Received In Advance

For the three months ended March 31, 1988

	<u>Youth &amp; Housing</u>	<u>Seniors</u>	<u>Resources</u>	<u>Total</u>
NET RECEIPTS OVER EXPENSES FOR PRIOR YEAR	954	4925	54995	60874
RECEIPTS - Current year	18225	8946	60848	88019
TOTAL RECEIPTS	19179	13871	115843	148893
EXPENSES				
Wages	1892	2999	77364	82255
Employees' Benefits	114	372	9867	10353
Staff travel and training	81	210	4721	5012
Audit	500		520	1020
Office			4368	4368
Telephone - utilities			753	753
Program supplies and equipment	742	97		839
Miscellaneous	250		350	600
Rent			900	900
Administration expense	15600		17000	32600
	19179	3678	115843	138700
NET RECEIPTS OVER EXPENSES FOR THE YEAR	NIL	10193	NIL	10193

Note: This statement is for the three months ended March 31, 1988 and coincides with the Ministry of Community and Social Services year end. The reason for the net income of the Seniors Program of \$10,193 is due to the inclusion of \$10,284 from 1986-87 program and a deficit of \$91 from the 1987-88 program.

ST. MATTHEW'S HOUSE

Schedule of Net Funds Received In Advance

For The Nine Months Ended December 31, 1988

	<u>Youth &amp; Housing</u>	<u>Seniors</u>	<u>Resource</u>	<u>Total</u>
<u>Receipts</u>	45223	24950	460616	529889
<hr/>				
<u>Expenses</u>				
Salaries	24066	26318	338738	389122
Employees' benefits	2760	3248	37261	43269
Staff travel	177		9939	10116
Staff training		30	1189	1219
Audit	250		250	500
Office		248	7210	7458
Telephone			3456	3456
Equipment			917	917
Program supplies and equipment	727	422		1149
Advertising and promotion			1139	1139
Miscellaneous			65	65
Administration	12579		17715	30294
Rent - Brantford			2700	2700
Repairs and Maintenance			4667	4667
	40559	30266	425246	496071
<hr/>				
NET RECEIPTS OVER (UNDER) EXPENSES				
FOR THE YEAR	4664	(6216)	35370	33818

Note: These programmes commenced April 1, 1988 and are based on a twelve month budget ended March 31, 1989 to coincide with the Ministry of Community and Social Services year end.

ST. MATTHEW'S HOUSE

NOTES TO THE FINANCIAL STATEMENTS

AS AT DECEMBER 31, 1988

Note 1 - Term Deposits

They consist of:	<u>1988</u>	<u>1987</u>
Bus Reserve	5000	5000
General	-	75000
	<u>5000</u>	<u>80000</u>

The term deposit of \$75,000 is directly attributable to the Ministry of Community and Social Services advances re the programs for youth and housing, seniors and resources.

Note 2 - Investments

During the year under review St. Matthew's received a large bequest from Iva Loyst. It consisted of stocks, term deposits, etc. which have not all been disposed of as at the year end. These investments were valued as at date of transfer, January 18, 1988 at market value.

Cost	<u>\$ 39412</u>
Market value	<u>\$ 40513</u>

This bequest accounted for approximately \$114763 which contributed directly to the net income of \$103601 for the year.

There is no accrued interest on these investments as at December 31, 1988.

Note 3 - Net Funds Received in Advance

These monies are the net receipts over expenses for the three programs: youth and housing, senior and resources. These programs are based on a twelve month budget ended March 31 to coincide with the Ministry of Community and Social Services year-end. The net receipts have been expended by March 31.





FOR ACTION

10.

REPORT TO: Mrs. S.K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. D. W. Vyce  
Director of Property

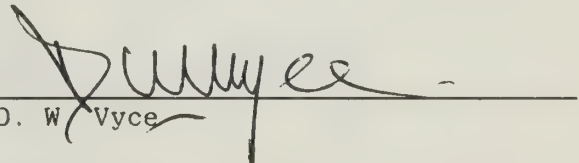
DATE: 1989 July 28  
COMM FILE:  
DEPT FILE: 100.11.128/9  
(4609)

SUBJECT: **Rental of Property at 354 and 356 Birch Avenue  
to Philip Enterprises Inc. -**

AUG 8 1989

RECOMMENDATION:

- (a) That the vacant lots at 354 and 356 Birch Avenue containing approximately 5.581 square feet be rented to Philip Enterprises Inc. for parking purposes on a monthly basis commencing September 1, 1989 at a rental of \$125.00 per month, plus taxes estimated at \$900.00 for 1989.
- (b) That the City Solicitor be authorized to prepare the necessary lease.
- (c) That the Mayor and City Clerk be authorized to execute the lease agreement.

  
D. W. Vyce

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

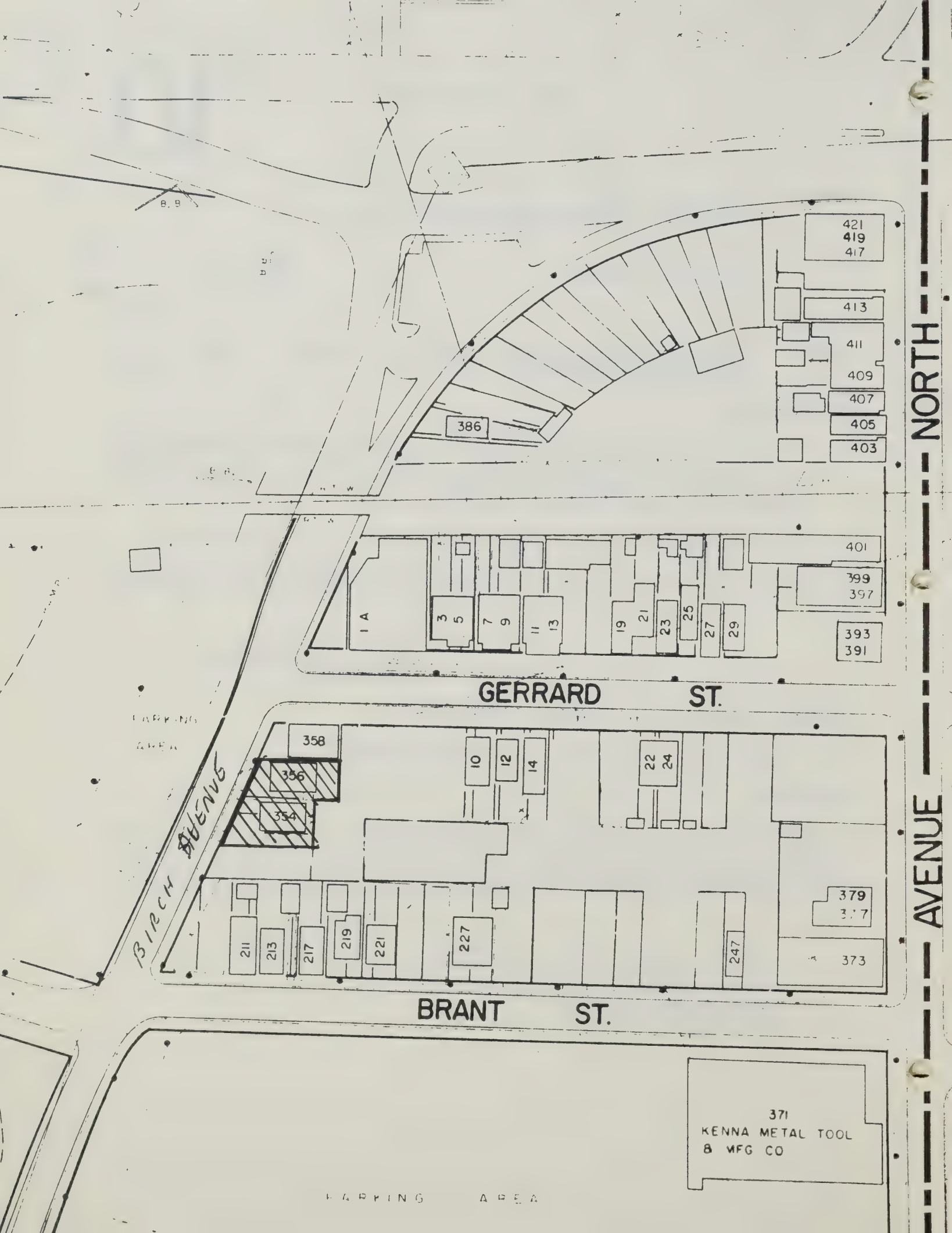
Credit rental revenue to account # CF 5590 308 750001.

BACKGROUND:

The above mentioned properties, shown cross-hatched on the attached plan, have been purchased by the City of Hamilton in connection with the acquisition of land in the Alpha Enclave (West) Plan I. The lands are to be rented on a monthly basis for employee parking until the assembly of lands in the area are completed.

Attach.

c.c. - Mr. P.R.A. Hooker, Acting City Solicitor  
- Mr. E.C. Matthews, City Treasurer  
Attention: Mr. R. Camani  
Attention: Mr. R. Hayes



BIRCH AVENUE

GERRARD ST.

BRANT ST.

AVENUE NORTH

PARKING AREA

421  
419  
417

413

411

409

407

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403

386

401

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221

227

247

379

377

373

371  
KENNA METAL TOOL  
& MFG CO



FOR ACTION

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. D. W. Vyce  
Director of Property

DATE: 1989 July 11  
COMM FILE:  
DEPT FILE: (2738)

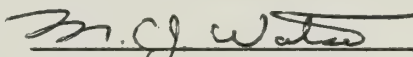
SUBJECT: Re-purchase of Lot 18, Plan M-227  
Hamilton Industrial Park #1 (140 Nebo Road)  
From - Fin-Par Enterprises Inc. -

JUL 13 1989

RECOMMENDATION:

That an Option to Purchase the lands of Fin-Par Enterprises inc., Lot 18, Plan M-227, Hamilton Industrial Park No. 1, located at 140 Nebo Road, duly executed on July 7, 1989 by the Vendor, Fin-Par Enterprises Inc. and scheduled for closing on October 26, 1989, be approved and completed.

Note: The purchase price is \$85,627.80. The property is composed of a parcel of land located on the western limit of Nebo Road, having a frontage of 200.23 feet by a depth of 433.31 feet/441.89 feet and containing an area of 2.0146 acres.

  
f D. W. Vyce

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

The acquisition cost is to be charged to RF 45001 25202.

BACKGROUND:

Fin-Par Enterprises Inc. originally purchased this land from The Corporation of the City of Hamilton on January 9, 1988 at the price of \$100,730.00. Due to Fin-Par Enterprises Inc.'s inability to fulfill the development obligations that it assumed when it purchased the property from the City, under the original terms of the sale, the City is entitled to re-purchase the said land at the original price of \$100,730.00, less (a) the deposit paid by Fin-Par Enterprises Inc. of \$10,073.00, less (b) the Real Estate Commission of \$5,029.00, paid by the City to a real estate agent. Upon completion of this transaction, it is anticipated that we will be in a position to resell this site without any difficulty and a substantial increase in price.

Attach.

c.c. - Mr. K.A. Rouff, City Solicitor  
- Mr. E.C. Matthews, City Treasurer  
- Mr. M. Chidley, Regional Surveyor



F O R   A C T I O N

12a

REPORT TO: MS. S. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: G.S. SPENCER  
COMMISSIONER OF ENGINEERING

DATE: 1989 July 13  
COMM FILE:  
DEPT FILE: S719-57  
ID#1623(48)

SUBJECT

"STONERIDGE ESTATES", Hamilton  
(Cash Payment in Lieu of 5% Parkland Dedication)

AUG 8 1989

RECOMMENDATIONS

That the City of Hamilton accept the sum of \$20,300.00 as cash payment in lieu of 5% dedication in connection with "Stoneridge Estates", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

*Ted Gill*  
for G. S. Spencer, P.Eng.  
Commissioner of Engineering

FINANCIAL CONSIDERATIONS

N/A

BACKGROUND

The owner of the lands for the above referenced subdivision will be executing a Subdivision Agreement with the City of Hamilton in the near future. A copy of the Final Survey Plan is attached for your information.

In accordance with normal City procedure, the City and Regional Staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication.

The sum to be included in the Subdivision Agreement has been calculated to be \$20,300.00

Note: These lands are located east of Upper Wentworth Street and south of Stone Church Road in the Butler neighbourhood.

CAU:ms  
Attach.

cc: D.J. Consoli, City Treasury

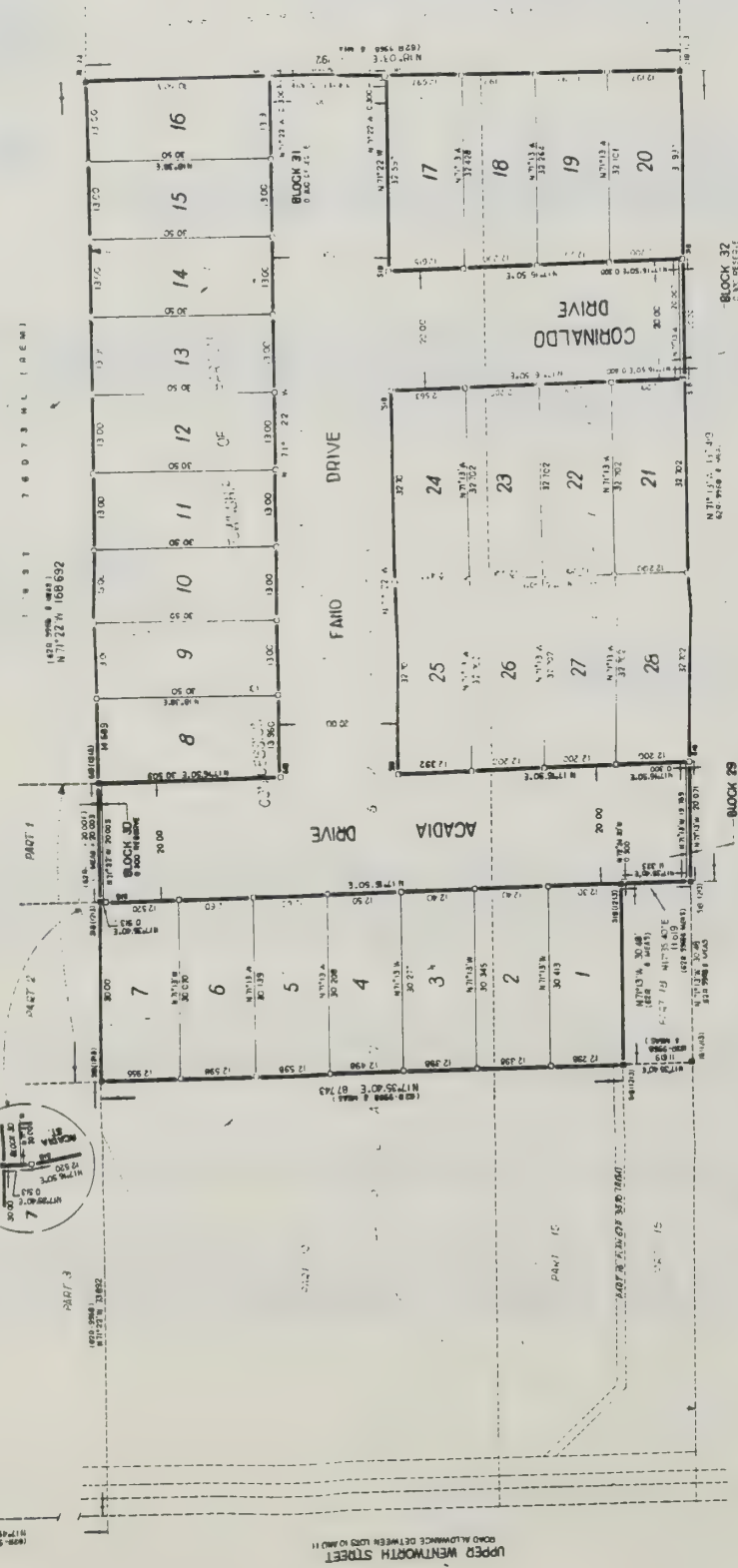


# PLAN OF STONERIDGE ESTATES

BERKE SUBDIVISION OF  
PART OF LOT 10 CONFESSION 8  
TOWNSHIP OF BARTON  
CITY OF HAMILTON  
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
SCALE 1:1000  
J. DAVID PETERS OLS  
1988

STONE CHURCH ROAD  
ROAD ALLOWANCE BETWEEN LOTS 1 AND 8  
NORTH-WESTERN CORNER  
LOT 10 CON 8

METRIC  
CONVERTED TO METRIC BY J. DAVID PETERS OLS  
1988



AREA OF LOTS AND BLOCKS

LOT	mt	LOT	sqft	sqft	mt
1	334.3	15	407.2	29	942
2	330.5	17	411.41	30	600
3	335.7	18	39.4	31	600
4	338.3	19	339.4	32	600
5	360.0	20	330.4		
6	315.1	21	368.8		
7	390.1	22	459.2		
8	436.7	23	406.4		
9	396.5	24	398.8		

F O R   A C T I O N

12b.

REPORT TO: MRS. S. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: G. S. SPENCER  
COMMISSIONER OF ENGINEERING

DATE: 1989 July 31  
COMM FILE:  
DEPT FILE: S702-39


SUBJECT

AUG 10 1989

"BAR-BROCK ESTATES - PHASES ONE AND TWO", Hamilton  
(Cash Payment in Lieu of 5% Parkland Dedication)

RECOMMENDATION

That the City of Hamilton accept the sum of \$22,740.00 as cash payment in lieu of 5% dedication in connection with "Bar-Brock Estates - Phases One and Two", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

  
\_\_\_\_\_  
G. S. Spencer  
Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A

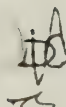
BACKGROUND

The owner of the lands for the above referenced subdivision will be executing a Subdivision Agreement with the City of Hamilton in the near future. A copy of the Final Survey Plan is attached for your information.

In accordance with normal City procedure, the City and Regional staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication.

The sum to be included in the Subdivision Agreement has been calculated to be \$22,740.00.

Note: These lands are located east of Eleanor Avenue and north of Rymal Road in the Eleanor Neighbourhood, Hamilton.

 DVC:jd  
Attach.

cc: D. J. Consoli, City Treasury Department  
cc: B. Loreto, City Solicitor's Office





APPROVED UNDER SECTION 30 OF THE  
PLANNING ACT BY THE COUNCIL OF THE  
REGIONAL MUNICIPALITY OF HAMILTON -  
WENTWORTH, THIS DAY OF

ORIGINAL CMA 38445  
AUTOMATICALLY BY BY-LAW NO. 85-024

LAND REGI

LOT	RADIUS	ARC	CHORD	BEARING
3		6.923	6.898	N61°23'43"W
4	20.000	9.078	9.000	N43°58'50"W
5				N12°28'20"E
6		9.825	9.805	N08°51'20"E
	8.000	5.315	5.810	N52°31'55"W
11	15.000	22.475	20.431	N78°37'35"W
	2.000	3.091	2.783	N79°04'50"W
14	15.000	22.475	20.431	N75°31'55"W
BLOCK				
15	9.000	5.915	5.810	N52°31'55"W

LOT	ARE AM <sup>2</sup>	LOT	ARE AM <sup>2</sup>
1	830.13	10	415.27
2	398.62	11	398.47
3	507.75	12	442.99
4	743.98	13	441.58
5	679.12	14	439.79
6	480.45	BLOCK	
7-8	390.46	19	78.71

METRIC

DIFFERENCES SHOWN ON THIS PLAN ARE IN  
METERS AND CAN BE CONVERTED TO FEET  
BY DIVIDING BY 0.3048.

Bar. Brock and  
L. States

BEING A PLAN OF SUBDIVISION

LOTS 24 & 25  
ELEANOR HEIGHTS SURVEY  
REGISTERED PLAN N° 853

**CITY OF HAMILTON**  
REGIONAL MUNICIPALITY OF  
HAMILTON - WENTWORTH

# OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

A. LOTS 1 TO 30, BOTH INCLUSIVE, THE STREET, NAMELY  
PACIFIC AVE., AND WORKING, NAMELY BLOCK 10  
HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR DEDICATION.

B. THE STREET AND WORKING (BLOCK 10) ARE HEREBY DEDICATED  
TO THE CORPORATION OF THE CITY OF VANCOUVER AS PUBLIC

DATE

"I HAVE THE AUTHORITY TO END THE COMPANY EMPLOYED THE DAY OF" 000

SURVEYOR'S CERTIFICATE

1. CERTIFY THAT :

1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND TITLE ACT AND THE REGULATION MADE THEREUNDER;

2. THE SURVEY WAS COMPLETED ON THE DAY OF 2006.

NAME - DAYTON  
DATE 2 MAY 68 PLYCOB, 04A

NOTE

**ADVICE**  
RESEARCHERS ARE ASTROLOGICAL AND ARE  
TRANSFERRED TO THE SOUTHERN LIMIT OF  
QUILGREN STREET, SEVEN ST. 2. 40. 0. 0.  
WORK ON PAV. 628.

LEGEND

[illegible]

WACKAY, WACKAY &amp; PETERS LIMITED

ROUTE 606, VANDERBILT SQUARE  
20 MYNSEN STREET BOUNTY  
HAWAII-GETTARD LON JAI  
TELEPHONE: (408) 826-7411  
TELECOPIER: (408) 826-0787



F O R   A C T I O N

12c.

REPORT TO: MRS. S. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: G. S. SPENCER  
COMMISSIONER OF ENGINEERING

DATE: 1989 July 31  
COMM FILE:  
DEPT FILE: S723-47

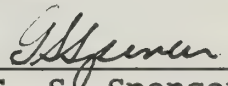
SUBJECT

"WISEMOUNT FOREST SURVEY - PHASE 5", Hamilton  
(Cash Payment in Lieu of 5% Parkland Dedication)

AUG 10 1989

RECOMMENDATION

That the City of Hamilton accept the sum of \$16,500.00 as cash payment in lieu of 5% dedication in connection with "Wisemount Forest Survey - Phase 5", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

  
\_\_\_\_\_  
G. S. Spencer  
Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A

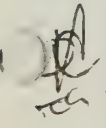
BACKGROUND

The owner of the lands for the above referenced subdivision will be executing a Subdivision Agreement with the City of Hamilton in the near future. A copy of the Final Survey Plan is attached for your information.

In accordance with normal City procedure, the City and Regional staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication.

The sum to be included in the Subdivision Agreement has been calculated to be \$16,500.00.

Note: These lands are located east of Upper Ottawa Street and south of Landron Avenue in the Lisgar Neighbourhood, Hamilton.

 DVC:jd  
Attach.

cc: D. J. Consoli, City Treasury Department  
cc: B. Loreto, City Solicitor's Office



PLAN OF:

# Wisemount Forest Survey - Phase Five

BEING A SUBDIVISION OF:  
PART OF LOT 3- CONCESSION 6 IN THE GEOGRAPHIC TOWNSHIP OF BARTON  
NOW IN THE

**CITY OF HAMILTON**  
REGIONAL MUNICIPALITY OF HAMILTON - WEST NORTH

SCALE  
1" = 500'  
A. J. Clarke O.L.S. 1989

**Metric:**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND  
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LOCHHEAD DRIVE

Wisemount Forest Survey Phase 4

PARIS AVENUE

UNIVERSITY BOULEVARD

RANKO COURT

CONCESSION

**PLAN 62M-**  
I CERTIFY THAT THIS PLAN 62M- IS  
REGISTERED IN THE LAND REGISTRY OFFICE FOR THE  
LAND DIVISION OF HAMILTON ON 18th  
MAY 1989 BY THE  
AND ENTERED IN THE REGISTERED FOR PARCEL  
SECTION 62M- AND  
REQUIRED CONVEYS AND AFFIDAVITS ARE REGIS-  
TERED AS PLAN DOCUMENT N° 17  
L.T.

LAND REGISTRY

APPROVED UNDER SECTION 50 OF THE PLANNING ACT  
ACT BY THE COMMISSIONER OF THE REGIONAL MUNICIPALITY OF  
HAMILTON WEST NORTH  
THIS 18th DAY OF  
1989

REGIONAL COMMISSIONER  
HAMILTON WEST NORTH  
HAMILTON ON 18th MAY 1989

## Surveyor's Certificate:

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE  
SURVEY ACT AND THE LAND REGISTRY ACT AND ALL APPLICABLE  
REGULATIONS.  
2. THE SURVEY WAS COMPLETED ON THE 23rd DAY OF JUNE  
1989

A. J. Clarke  
O.L.S. 1989  
ON-PAID LAND SURVEYOR

## Owner's Certificate:

THE LAND TO WHICH THIS PLAN IS REFERRED:  
1. IS 10 TO 100% IN AGRICULTURE, THE STREETS, HIGHWAYS, PUBLIC  
ROADS OR RAILWAYS, THE STREETS, HIGHWAYS, PUBLIC ROADS OR  
RAILWAYS, THE STREETS, HIGHWAYS, PUBLIC ROADS OR RAILWAYS  
BEING AND OUT IN ACCORDANCE WITH OUR INSTRUCTIONS  
2. THE SAID STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF  
HAMILTON AS PUBLIC HIGHWAYS  
DATE: 18th MAY 1989  
I, WISE CONSTRUCTION LIMITED  
3. WISE CONSTRUCTION LIMITED  
I HAVE THE AUTHORITY TO SIGN THIS CERTIFICATE  
3. WISE PRESIDENT

## Legend:

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES A SURVEY MONUMENT FOUND
- ON A B.M. DENOTES A STANDARD IRON BAR
- ON A B.M. DENOTES AN IRON BAR

BEARINGS SHOWN ON THIS PLAN ARE ASTROPHOTIC AND ARE REFERRED  
TO THE SOUTH-TRUE LIMIT OF PARIS AVENUE AS SHOWN ON PLAN 62M-370  
ON A COURSE OF N 72° 07' W

A. J. Clarke and Associates Ltd.  
ON-PAID LAND SURVEYOR - CONSULTING ENGINEERS  
HAMILTON, ONTARIO



F O R   A C T I O N

12d.

REPORT TO: MRS. S. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: G. S. SPENCER  
COMMISSIONER OF ENGINEERING

DATE: 1989 July 31  
COMM FILE:  
DEPT FILE: S719-60

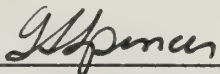
SUBJECT

AUG 10 1989

"SILVERTON AVENUE SUBDIVISION", Hamilton  
(Cash Payment in Lieu of 5% Parkland Dedication)

RECOMMENDATION

That the City of Hamilton accept the sum of \$7,500.00 as cash payment in lieu of 5% dedication in connection with "Silverton Avenue Subdivision", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

  
\_\_\_\_\_  
G. S. Spencer  
Commissioner of Engineering

FINANCIAL CONSIDERATIONS

N/A


BACKGROUND

The owner of the lands for the above referenced subdivision will be executing a Subdivision Agreement with the City of Hamilton in the near future. A copy of the Final Survey Plan is attached for your information.

In accordance with normal City procedure, the City and Regional staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication.

The sum to be included in the Subdivision Agreement has been calculated to be \$7,500.00.

Note: These lands are located west of Upper Ottawa Street and south of Silverton Avenue in the Templemead Neighbourhood, Hamilton.

 DVC:jd  
Attach.

cc: D. J. Consoli, City Treasury Department  
cc: B. Loreto, City Solicitor's Office

IS REGISTERED IN THE LAND REGISTRY OFFICE  
ON THE LAND TITLES DIVISION OF WENTWORTH AT JOCKLOCK ON THE  
DAY OF 1989 AND ENTERED IN THE REGISTER FOR PARCEL  
AND REQUIRED CONSENTS AND AFFIDAVITS ARE REGISTERED AS PLANS  
DOCUMENT No.

THE PLAIN COMPRISES ALL OF PARCEL 3 - 20 SECTION 36R 64)  
LOTS 1 TO 9 inclusive SUBJECT TO AN EASEMENT AS SET FORTH HEREIN AS EXTENDED BY SET 40-10-00  
OTS 1 TO 9 inclusive SUBJECT TO RIGHTS OF ACCESS AS SET FORTH HEREIN AS EXTENDED BY SET 40-10-00

APPROVED UNDER SECTION 90 OF THE PLANNING ACT BY THE COUNCIL OF THE REGIONAL  
MUNICIPALITY OF HAMILTON - WENTWORTH

DAY OF \_\_\_\_\_

**REGIONAL CHAIRMAN**

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN of **SILVERTON AVENUE** SUBDIVISION of  
PART OF LOT 5, CONCESSION 8  
TOWNSHIP OF BARTON

CITY OF HAMILTON

REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

SCALE 1 : 500



EARNINGS SHOWN ON THIS PLAN ARE ASTRONOMIC AND ARE REFERRED TO THE  
 INTERESTING LIST OF UPPER OTTAWA STREET AS SHOWN ON PLAN 638 -  
 BEARING OF N 10° E 33' E.  
 100 - 000 DENOTES A STANDARD BORN BAR  
 DENOTES SURVEY MONUMENT PLANTED  
 DENOTES SURVEY MONUMENT FOUND  
 C DENOTES MINISTRY OF TRANSPORTATION AND COMMUNICATION  
 D or 00 DENOTES A  
 (OU) DENOTES ON  
 WIT WITNESS

... IS TO CERTIFY THAT

LOTS 1 TO 3 INCLUSIVE

- THE SAID BLOCK 14 AND IS ARE HEREBY DEDICATED AS PUBLIC HIGHWAYS TO THE COMPOSITION OF THE CITY OF HAMILTON AND THE REGIONAL MUNICIPALITY OF HAMILTON - WEST WORTH.

REPORTED TIME	DATE	DAY OF	MONTH
10:00	10/10/10	10/10/10	10/10/10

*S. Di Cenzo*  
1716 OHTARIO LIMITED  
HAVE AUTHORITY TO BIND THE CORPORATION  
S. DI CENZO

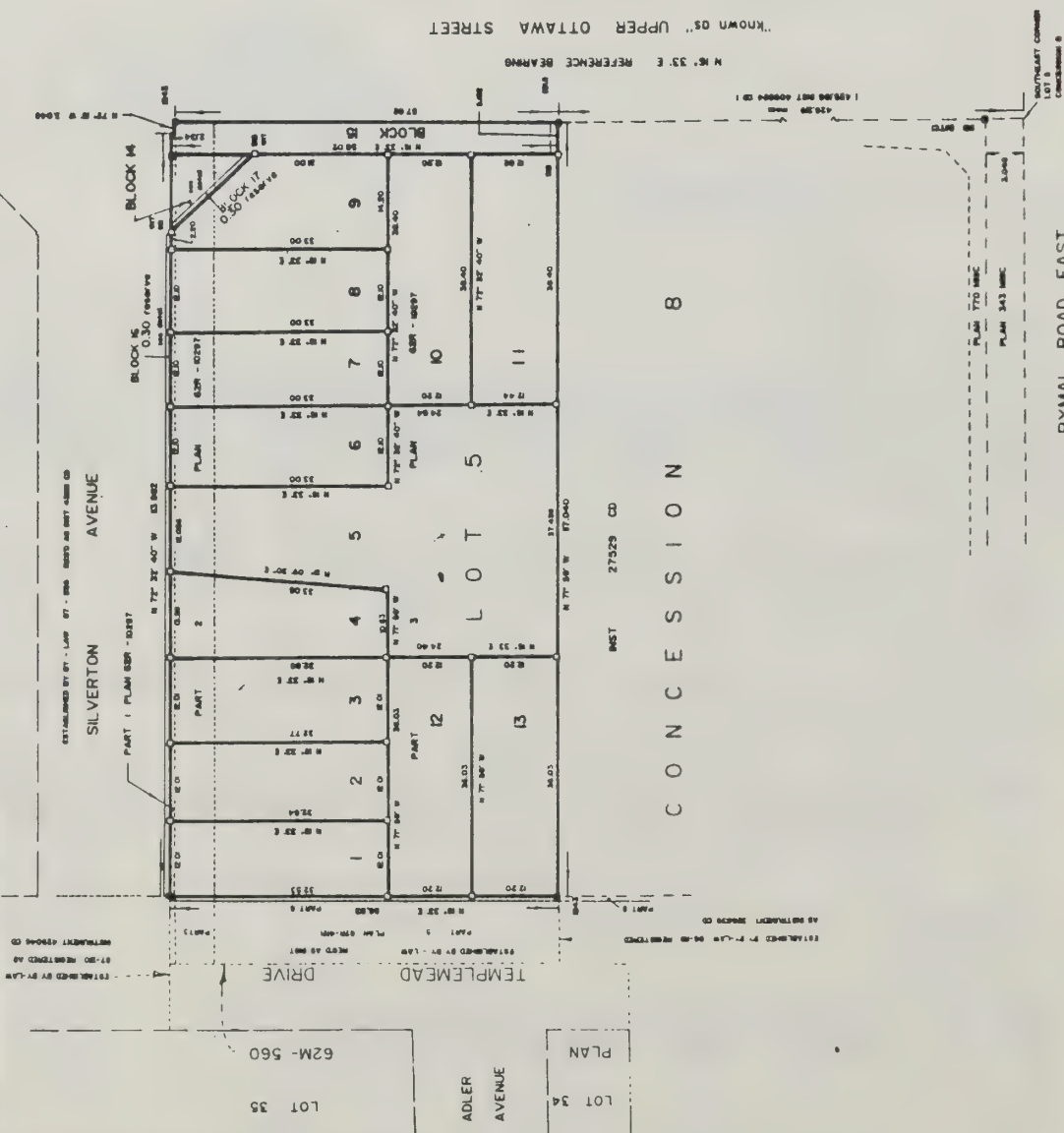
IDENTIFY THAT

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.
- THE SURVEY WAS COMPLETED ON THE 17TH DAY OF FEBRUARY 1988

April 25 1907

EDWARD BARNHILL

EDWARD BARTON  
ONTARIO LAND SURVEYOR  
HAMILTON 549-6642



ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIPS OF BARTON & GLANFORD  
( FORMERLY THE KINGS HIGHWAY 53  
DEPOSITED PLAN 848 MSC )  
REGIONAL ROAD No. 53



F O R   A C T I O N

12e.

REPORT TO: MRS. S. REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: G. S. SPENCER  
COMMISSIONER OF ENGINEERING

DATE: 1989 July 31  
COMM FILE:  
DEPT FILE: S702-42

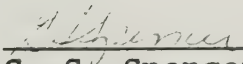
SUBJECT

"BARTONVILLE COURT", Hamilton  
(Cash Payment in Lieu of 5% of Parkland Dedication)

AUG 10 1989

RECOMMENDATION

That the City of Hamilton accept the sum of \$11,680.00 as cash payment in lieu of 5% dedication in connection with "Bartonville Court", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

  
\_\_\_\_\_  
G. S. Spencer  
Commissioner of Engineering

FINANCIAL IMPLICATIONS

N/A


BACKGROUND

The owner of the lands for the above referenced subdivision will be executing a Subdivision Agreement with the City of Hamilton in the near future. A copy of the Final Survey Plan is attached for your information.

In accordance with normal City procedure, the City and Regional staff have completed calculations for the 5% cash payment in lieu of Parkland Dedication.

The sum to be included in the Subdivision Agreement has been calculated to be \$11,680.00.

Note: These lands located east of Kenilworth Avenue and north of King Street East in the Bartonville Neighbourhood, Hamilton.

 DVC:jd  
Attach.

cc: D. J. Consoli, City Treasury Department  
cc: B. Loreto, City Solicitor's Office

# PLAN OF BARTONVILLE COURT

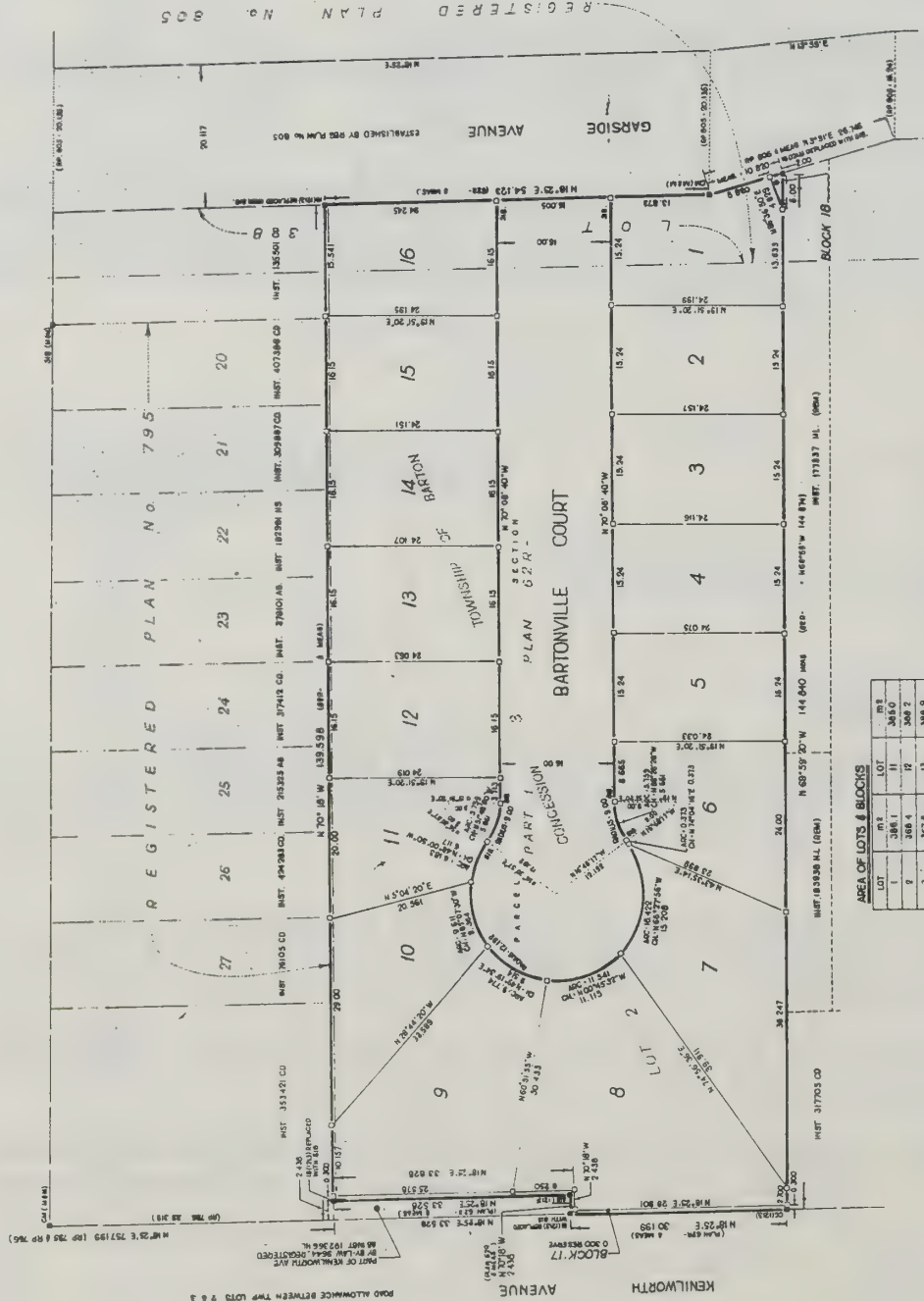
BEING A SUBDIVISION OF  
PART OF LOT 2, CONCESSION 3, IN THE FORMER TOWNSHIP OF BARTON  
IN THE DISTRICT OF YORK  
CITY OF HAMILTON  
LOCAL MUNICIPALITY OF HAMILTON-WENTWORTH

SCALE 1:400  
J. DAVID PETERS OLS  
1985

MAIN STREET  
ROAD ALLOWANCE BETWEEN CONCESSIONS 1 & 2

ROAD ALLOWANCE BETWEEN LOTS 2 & 3

NORMANDY ROAD



AREA OF LOTS & BLOCKS

LOT	AREA	LOT	AREA
1	1.00	11	1.00
2	1.00	12	1.00
3	1.00	13	1.00
4	1.00	14	1.00
5	1.00	15	1.00
6	1.00	16	1.00
7	1.00	17	1.00
8	1.00	18	1.00
9	1.00	19	1.00
10	1.00	20	1.00
21	1.00	22	1.00
23	1.00	24	1.00
25	1.00	26	1.00
27	1.00	28	1.00

TOTAL AREA - 90.36 & 80 METRES

PLAN 62 M-  
THIS PLAN IS TO BE  
REGISTERED IN THE LAND REGISTRY OFFICE  
FOR THE DISTRICT OF YORK  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
1985  
AND ENTERED IN THE REGISTER FOR  
PARCEL \_\_\_\_\_  
AND DEPOSITS MADE AND AFFIDAVITS ARE  
REGISTERED AS  
PLAN DOCUMENT IN  
LAND REGISTRY  
LAND REGISTRY

METRIC:  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN  
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

THE PLAN COMPOSES:

APPROVED UNDER SECTION 50 OF THE PLANNING ACT  
HAMILTON-WENTWORTH DISTRICT MUNICIPALITY OF  
HAMILTON-WENTWORTH

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985

REGIONAL CHAIRMAN  
AUTHORIZED BY PLAN 85-094

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN  
ACCORDANCE WITH THE SURVEY ACT AND THE LAND  
REGISTRY ACT AND THE REGULATIONS MADE  
THEREUNDER.  
2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985

DATED AT HAMILTON ONTARIO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985

J. DAVID PETERS  
ONTOARIO LAND SURVEYOR

## OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:  
1. I, THE OWNER, HAVE RECEIVED A COPY OF THE  
REGISTERED PLAN AND HAVE READ THE SAME AND  
AM Satisfied THAT THE SAME IS CORRECT AND  
IN ACCORDANCE WITH THE SURVEY ACT AND THE  
LAND REGISTRY ACT AND THE REGULATIONS MADE  
THEREUNDER.  
2. I HAVE RECEIVED A COPY OF THE REGISTERED  
PLAN AND HAVE READ THE SAME AND AM Satisfied  
THAT THE SAME IS CORRECT AND IN ACCORDANCE  
WITH THE SURVEY ACT AND THE LAND REGISTRY  
ACT AND THE REGULATIONS MADE THEREUNDER.  
DATED AT HAMILTON ONTARIO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985

I HAVE THE AUTHORITY TO  
SIGN THE CERTIFICATE

M. J. PETERS  
HAMILTON-WENTWORTH

## NOTES:

- 1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE LAND REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.
- 2. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 3. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 4. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 5. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 6. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 7. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 8. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 9. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 10. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 11. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 12. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 13. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 14. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 15. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 16. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 17. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 18. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 19. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 20. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 21. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 22. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 23. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 24. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 25. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
- 26. THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1985
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ALL MAPS ARE IN'S UNLESS OTHERWISE NOTED

MACKAY, MACKAY & PETERS LIMITED  
20 HUGHES ST S  
HAMILTON ONTARIO

FOR ACTION

13a.

REPORT TO: The Planning & Development Committee

FROM: P.C. Lampman, P.Eng.  
Deputy Building Commissioner

DATE: August 10, 1989  
COMM. FILE:  
DEPT. FILE: 89.1.1.A

SUBJECT:

Aug 10 1989

Demolition

RECOMMENDATION:

That the demolition permit for 65 Markland Avenue be denied.



FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee at its meeting held July 31, 1989 requested that the property be designated as a property of historical and architectural value.

01/29/88



# DEMOLITION CONTROL

DATE: August 11, 1989

ITEM	ADDRESS	PRESENT USE	PROPOSED USE	LOT SIZE	OWNER	ZONE	RECOMMENDATION
a.	65 Markland St.	S.F.D.	Vacant	126.75' X 170'	James R. Budge	"C/S-721"	NOTE: It is recommended that the Committee DENY this application. L.A.C.A.C. on July 31, 1989 approved intention to designate.

FOR ACTION

13b.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: C. J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 9

COMM FILE:  
DEPT FILE:

SUBJECT: DEMOLITION CONTROL BY-LAW - 65 MARKLAND STREET

RECOMMENDATION:

That the provisions of the Demolition Control By-law be applied to the property located at 65 Markland Street.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee at its meeting held 1989 July 31 requested that the provisions of the Demolition Control By-law be applied to this property and that this property be designated as a property of historical and architectural value.

Recently, a lot of record situated between the house and Chilton Place was sold separately in the last transaction. Subsequently, a building permit was issued and the foundations of the new house erected in June, 1989. The two-storey porch has been demolished to allow the sale of the lot of record.

LACAC staff were notified on June 13, 1989 that the new owner had applied for a demolition permit for the rear wing of the house, to allow another lot of record to be established at the rear of the property facing Chilton Place.

The new owner, Mr. Budge, applied for a permit to demolish the main part of the house on 1989 July 26. In view of the urgency of the situation, LACAC gave final approval to have this property designated and that the provisions of the Demolition Control By-law be applied to this property.

The Demolition Control By-law may be applied to any residential property in the City and may be invoked by Council to delay the issuance of a demolition permit until a building permit has been issued to erect a new building on the site of the building to be demolished. A second condition on the issuance of a demolition permit which may be imposed under this by-law is that the applicant must construct and substantially complete the new building within two (2) years or within a specified time of not less than two (2) years.

Demolition Control was introduced under the Planning Act to protect affordable housing but it can also serve as a useful tool in preserving buildings of heritage value by providing a delay in demolition, thereby enabling negotiations to take place between the City and the property owner. It can also be used to prevent the demolition of residential buildings for the purpose of creating long term parking lots.

The necessary planning information is attached.

CC/mec  
Attached

c.c. Mr. L. King, Building Commissioner



## PLANNING INFORMATION

65 Markland Street

**CURRENT ZONING:**

"C" (Urban Protected Residential, etc.) District as are adjacent lands

-By-law No. 80-218, passed July 29, 1980, stated that the existing building at the time of the passing of the by-law may be converted into a dwelling containing not more than three Class A dwelling units. Upon recent sale of the subject lands, the property was to be reverted back to single-family dwelling according to the Building Department.

**PLANNING POLICIES:**

Official Plan

Neighbourhood Plan(s)

**CURRENT STATUS:**

as of July 1989

Heritage Designation - No  
Listed Building - Yes  
Site Plan Control - No  
Demolition Control - No  
Zoning Change - No

# PLAN

BAY STREET

LOT 20  
RP. 1270  
INST. No. 312058AB

170.00' N 18° 45' 30" E

09.95

LOT 6

LOT 5

LOT 4

LOT 7

REG'D

PLAN

40

Inst. No. 386149CD

170.00' N 18° 45' 00" E

CHILTON PLACE  
(FORMERLY DOMINION STREET)  
(BY BY-LAW 929)







**HAMILTON LACAC**  
**HERITAGE RESEARCH FORM**

NAME AND ADDRESS OF PROPERTY: 65 Markland Street  
PRESENT OWNER(s): Mr. Jim Budge  
PRESENT OCCUPANT(s): Vacant  
PRESENT USE:



DATE OF CONSTRUCTION: 1884-85  
ARCHITECT AND/OR BUILDER:  
ORIGINAL OWNER(s): John H. Park  
ORIGINAL OCCUPANT(s): Same  
SIGNIFICANCE: Architectural/Contextual

65 MARKLAND STREET

East side of house showing  
new foundation of adjacent  
house.



65 MARKLAND  
Rear addition







FOR ACTION

13c.

REPORT TO: Mrs. S. K. Reeder, Secretary  
Planning & Development Committee

FROM: C.J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 2  
COMM FILE:  
DEPT FILE:

SUBJECT: Designation of 65 Markland Street

RECOMMENDATION:

- (a) That approval be given to the "Intent to Designate" 65 Markland Street as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Research Sub-Committee agreed at its meeting on June 28, 1989 that the house was worthy of designation and recommended that it be designated, specifically:

- the three public facades (north, east, and west) of the original house, excluding the later rear wing.
- certain interior features to be identified at a subsequent site visit.

Photograph, map and planning information attached.

Recently, a lot of record situated between the house and Chilton Place was sold separately in the last transaction. Subsequently a building permit was issued and the foundations of the new house erected in June 1989 (see photograph). The two-storey porch had been demolished to allow the sale of the lot of record. The attached map shows the 4 lots of record comprising 65 Markland Street.

June 13, 1989, LACAC staff were notified that the new owner of 65 Markland Street, Mr. Jim Budge, had applied for a demolition permit for the rear wing of the historic house, to allow another lot of record to be established at the rear of the property facing Chilton Place.

Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

Re: Designation of 65 Markland Street

... 2

June 20, 1989, members of the LACAC Research Sub-Committee made a site visit. No formal recommendations were made.

June 26, 1989, LACAC recommended that a meeting be held (July 6th) with Mr. Budge on site re: the demolition of the rear wing. LACAC also referred 65 Markland Street back to the Research Sub-Committee re: its eligibility for designation and for further research.

June 26, 1989, a demolition permit was issued for the rear wing.

June 28, 1989, the Research Sub-Committee approved the house at 65 Markland Street as being eligible for designation. This recommendation will be forwarded to LACAC's July 31, 1989 meeting.

July 6, 1989, site visit took place with LACAC representatives, Durand Association representatives and neighbours also attended.

July 19, 1989, Committee of Adjustment meeting. Mr. Budge requested that a variance allowing a 14' rear yard be approved instead of the required 25'. The Committee of Adjustment ruled that the variance was not considered a minor one and therefore did not comment on the application.

July 26, 1989, LACAC staff were notified by the Building Department that Mr. Budge has applied for a permit to demolish the main part of the house.

July 26, 1989, the Research Sub-Committee recommended that, in view of the urgency of the situation, LACAC give final approval to the designation recommendation.

## PLANNING INFORMATION

65 Markland Street

**CURRENT ZONING:**

"C" (Urban Protected Residential, etc.) District as are adjacent lands

-By-law No. 80-218, passed July 29, 1980, stated that the existing building at the time of the passing of the by-law may be converted into a dwelling containing not more than three Class A dwelling units. Upon recent sale of the subject lands, the property was to be reverted back to single-family dwelling according to the Building Department.

**PLANNING POLICIES:**

Official Plan

Neighbourhood Plan(s)

**CURRENT STATUS:**

as of July 1989

Heritage Designation - No  
Listed Building - Yes  
Site Plan Control - No  
Demolition Control - No  
Zoning Change - No



# PLAN

BAY STREET

LOT 20  
RP. 1270  
INST. No. 312058AB

LOT 6

LOT 5

LOT 4

LOT 7

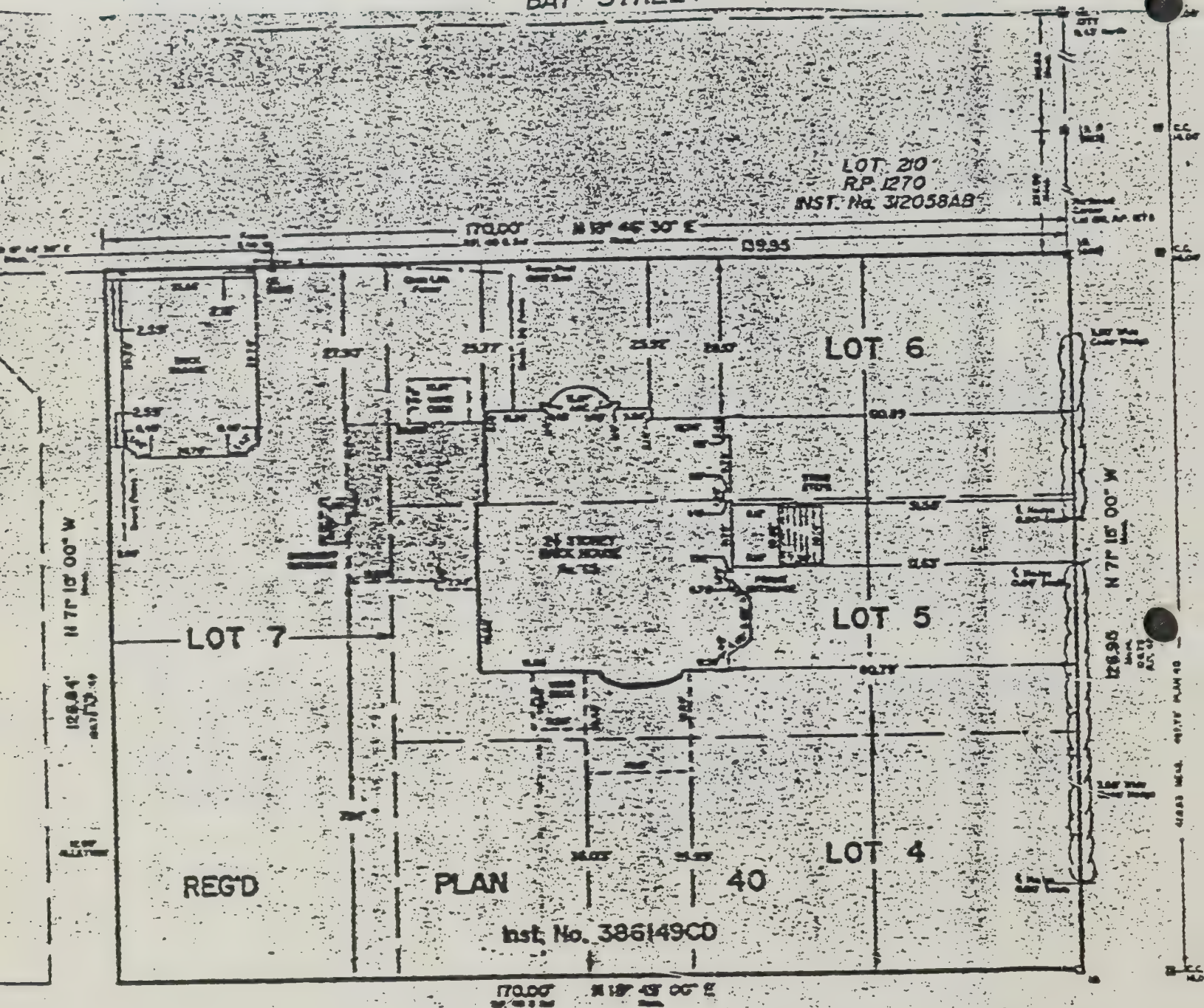
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PLAN

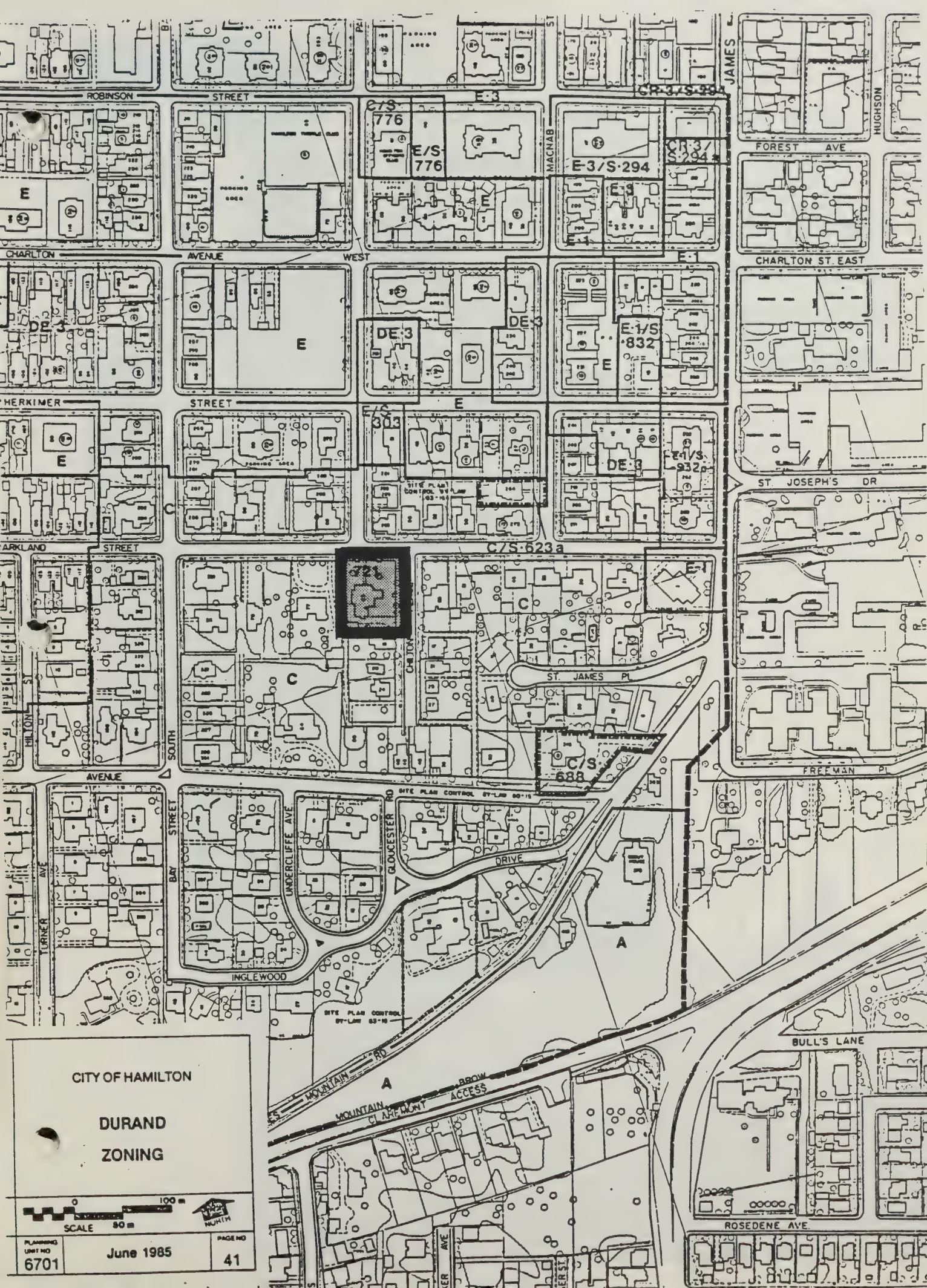
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Inst. No. 386149CD

CHILTON PLACE  
(FORMERLY DOMINION STREET)  
(BY BY-LAW 929)

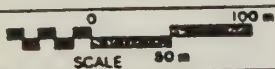






CITY OF HAMILTON

DURAND  
ZONING





**HAMILTON LACAC**  
**HERITAGE RESEARCH FORM**

NAME AND ADDRESS OF PROPERTY: 65 Markland Street  
PRESENT OWNER(s): Mr. Jim Budge  
PRESENT OCCUPANT(s): Vacant  
PRESENT USE:



DATE OF CONSTRUCTION: 1884-85  
ARCHITECT AND/OR BUILDER:  
ORIGINAL OWNER(s): John H. Park  
ORIGINAL OCCUPANT(s): Same  
SIGNIFICANCE: Architectural/Contextual





65 MARKLAND STREET

East side of house showing  
new foundation of adjacent  
house.



65 MARKLAND  
Rear addition

## REASONS FOR DESIGNATION

### 65 Markland Street

#### Present Context

Standing on Markland Street at the head of Park Street is the stately home built in 1884-5 for John H. Park, a successful Hamilton businessman. Situated in the heart of Durand South, a residential area noted for its tree-lined streets and large, distinguished late Victorian homes, this imposing 2 1/2 storey brick mansion surrounded by mature trees is a neighbourhood landmark.

#### Architectural Significance

65 Markland Street represents a relatively early and grand-scaled example in this city of the popular Queen Anne style. Though more restrained in character than its flamboyant successors of the 1890s, it nevertheless displays all the main characteristic features of this style: irregular massing and fenestration; window bays; a steep, slate-covered hipped roof animated by tall, decorative chimneys, dormers, and gables trimmed with bargeboard; and a tower. The tall, dominant square tower crowned by a steep pyramid-shaped roof with a bracketed cornice and elongated dormer provides a dramatic focus to the design. Two large triple windows are framed by a round brick arch capped with a stone moulding. Of particular interest are three glass transom lights with hand-painted bird motifs in the second storey window. Other noteworthy exterior features include the two curved bays on the east and west sides of the house, the three gables with gingerbread trim, and the brick corbelling beneath the tower cornice.

Two alterations affecting the exterior of the house were made in 1957 when the house was duplexed. An original open entrance porch with fluted columns was enclosed and the double entrance doors moved to the front of the new vestibule. A verandah extending along the east side of the house was replaced by a large two-storey sunroom addition (recently removed). The house was triplexed in 1980.

#### Historical Significance

For over 70 years of its history, 65 Markland Street was home to the families of two prominent Hamiltonians. The first owner, John H. Park, was a partner in one of the City's leading wholesale grocery firms, Lucas, Park & Co. located in the stone commercial block at 63-73 MacNab Street North. Upon his death in 1900, the house was bequeathed to his two sisters who remained there until 1914 when it was sold to Sydney Chilton Mewburn.



Bestowed with the title, Major-General the Honourable S.C. Mewburn, this distinguished Canadian was prominent for more than half a century in the legal, financial, political and military affairs of the country. Mewburn combined a respected law practice with service on the boards of some of the country's largest companies as well as an active military and political career. Appointed in 1917 to the position of acting adjutant general of the Canadian Militia with the rank of major-general, Mewburn subsequently held the post of Minister of Militia and Defence (1917-20) and was twice elected Member of Parliament for Hamilton East. One year after his death in 1956, at the age of 93, the Mewburn family home at 65 Markland Street was sold to Sam Henson Apartments Ltd. and converted to a duplex.

### Designated Features

Important to the preservation of 65 Markland Street are the original features of the north, east, and west facades, including the brick masonry walls with stone trim; the slate roof with its gables, dormers and chimneys; the wooden gable trim and bracketed tower cornice; and the original windows and doors, notably the double entrance doors moved from their original location; and surviving elements of the original porch. Excluded are the rear wing, added at a later date, and the entrance vestibule.





FOR ACTION

14a.

REPORT TO: Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

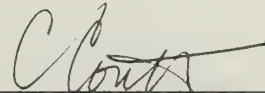
FROM: C.J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 2  
COMM FILE:  
DEPT FILE:

SUBJECT: Designation of 105 Aberdeen Avenue

RECOMMENDATION:

- (a) That approval be given to the "Intent to Designate" 105 Aberdeen Avenue as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.



C.J. Coutts, Secretary  
Local Architectural  
Conservation Advisory  
Committee

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee gave preliminary approval at its meeting held 1989 February 13.

Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

Re: Designation of 105 Aberdeen Avenue

... 2

Staff have since met with the owner, Mr. Vincent de Benedictis to discuss the proposed designation.

The owner has submitted a letter (copy Attached) to the Building Department to reaffirm his application for a demolition permit and advised the Department of his intent to disconnect the utilities by the end of July, 1989.

Reasons for Designation, map, photographs and planning information are attached.

CJC/jc

attach.



## REASONS FOR DESIGNATION

### 105 Aberdeen Avenue

#### Present Context

At the south-east corner of Aberdeen Avenue and Bay Street South stands the large, stately home erected in 1893-4 for Hamilton lawyer, P.M. Bankier. Situated near the foot of the escarpment, this imposing late Victorian brick mansion overlooks the residential neighbourhood of Durand South, noted for its tree-lined streets and fine array of large, fashionable late 19th and early 20th century homes. 105 Aberdeen Avenue has a particularly commanding presence, attributable to the tower-like round bay of the front facade which is accentuated by the sloping site.

#### Architectural Significance

The house represents a grand version of the restrained Queen Anne style adopted for the larger homes built in Hamilton around the turn-of-the-century. Characteristic of this style are the solid, massive form; the asymmetrical composition with projecting bays and wings; the complex roof silhouette featuring dormers, gables and tall chimneys; and the restrained classical ornamentation. Originally, a deep verandah with coupled columns and a bracketed cornice extended the full width of the Aberdeen facade.

The dominant feature of the present house is the tall, projecting round bay with its conical roof, tall double-hung sash windows with single curved glass panes, and horizontal band of smaller windows beneath the bracketed cornice. The verandah and long, broken flight of stairs leading to the front entrance were removed in 1964, at which time the main entrance was relocated to the Bay Street facade and the original doorway bricked in.

#### Historical Significance

The house has been owned and occupied by the families of three prominent Hamiltonians, two of whom were successful entrepreneurs in the City's important knitting industry. The original owner, Patrick M. Bankier, who occupied the house for only four years, was a partner in the well-known Hamilton firm of lawyers, Crerar, Crerar and Bankier, from 1886 until his sudden death in 1899 at the age of 39. The house was purchased in 1919 by Robert R. Moodie, vice president of the J.R. Moodie Company (formerly the Eagle Knitting Co.) and was sold in 1935 to M.B. Holton, president of the Chapman-Holton Knitting Company, remaining in the ownership of this family until Mrs. R. Holton died in 1988.

#### Designated Features

Important to the preservation of this house are the original features of the north, east and west facades, including the brick masonry walls with matching sandstone sills and lintels; the slate roof with its dormers and chimneys; the bracketed wooden cornice; and the original windows, most notably those of the front bay and several round-arched windows on the north and west facades.



105 Aberdeen Avenue

Historic photograph showing house as it originally appeared  
Source: Carre, Art Work in Hamilton, 1899.







105 ABERDEEN AVENUE

Planning Information

LOT SIZE AND AREA

The subject property has approximately:

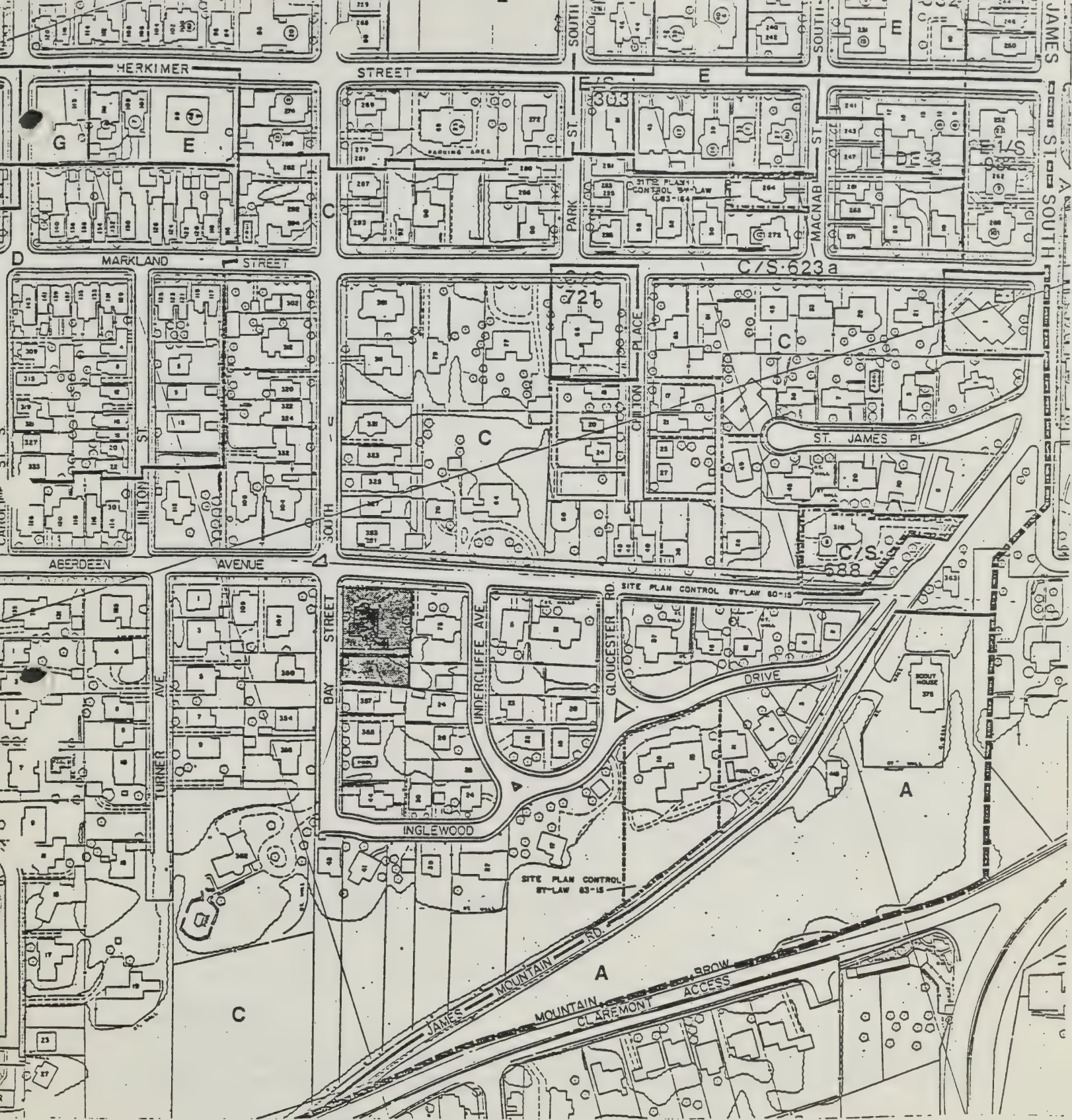
- 38.6 m (126.66 feet) of frontage on Aberdeen Avenue;
- 54.82 m (179.86 feet) of frontage on Bay Street South;
- and 2,112.3 m<sup>2</sup> (22,738 sq.ft.) of lot area.

LAND USE AND ZONING

	<u>EXISTING LAND USE</u>	<u>EXISTING ZONING</u>
<u>SUBJECT LANDS</u>	Single-family dwelling	"C" (Urban Protected Residential, etc.) District.
<u>SURROUNDING LANDS</u>		
to the north	One and Two family dwellings	"C" (Urban Protected Residential, etc.) District.
to the south, east and west	Single-family dwellings	"C" (Urban Protected Residential, etc.) District.

OFFICIAL PLAN

The subject lands are designated "RESIDENTIAL" on Schedule "A" - Land Use Concept of the Official Plan. In addition, the subject lands are located within SPECIAL POLICY AREAS "1b" (i.e. Niagara Escarpment) and "3" (Central Policy Area) on Schedule "B" - Special Policy Areas. The proposal does not conflict with the intent of the Plan.



# LEGEND



SITE OF THE APPLICATION







FOR ACTION

14b.

REPORT TO: Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

FROM: C.J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 2  
COMM FILE:  
DEPT FILE:

SUBJECT: Designation of 112 Aberdeen Avenue

RECOMMENDATION:

- (a) That approval be given to the "Intent to Designate" 112 Aberdeen Avenue as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

---

C.J. Coutts, Secretary  
Local Architectural  
Conservation Advisory  
Committee

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee at its meeting held 1989 March 31 gave preliminary approval for the designation of 112 Aberdeen Avenue.

The owner has requested that this property be designated.

Reasons for Designation, photograph, map and planning information are attached.

CJC/jc

attach.

## REASONS FOR DESIGNATION

### 112 Aberdeen Avenue

#### Present Context

The large late-Victorian house at 112 Aberdeen Avenue was built in 1881-1882 for John Alexander. Located on the north-east corner of Hilton and Aberdeen, this stately brick home with its ample front and side property forms an important part of the Aberdeen streetscape. The streetscape is one of imposing Victorian houses and large lots, so characteristic of the Durand Neighbourhood..

#### Architectural Significance

Architecturally, 112 Aberdeen Avenue is notable for its large-scaled composition which incorporates several distinctive features. The front facade of the house is dominated by a projecting off-centred bay that continues above the front cornice. This bay contains two double-hung paired windows and a half-round window at the roof line. There is a bay, in fact, on each of the three main facades - south, east and west. Of considerable interest are the two contrasting yellow-brick bands running around the three main facades of the house, which form lintels for the segmental windows. The yellow brick arches over the attic window incorporate alternating voussoirs.

#### Historical Significance

In its 107 year history, 112 Aberdeen has been home to only 5 families, all of whom inhabited the house for considerable lengths of time. The house was first occupied by John Alexander, a leather merchant, and remained in his family until 1907. The next occupant was Stephen Washington, followed by Alex Zimmerman and family, who resided there for 38 years.

#### Designated Features

Important to the preservation of 112 Aberdeen Avenue are the original features of the south (front), east and west facades.

## PLANNING INFORMATION

112 Aberdeen Ave

### CURRENT ZONING:

"C" (Urban Protected Residential, Etc) District as are adjacent properties to the east, south and west  
-The properties to the north are zoned within the "D" (Urban Protected-One and Two Family Dwellings, Etc) District

### PLANNING POLICIES:

#### Official Plan

-Designated "Residential" on Schedule A - Land Use Concept as are Adjacent Properties  
-The primary uses permitted are dwellings or uses compatible to dwellings that are deemed necessary by council to serve the needs of local residents. These are:  
-Public Parks  
-Schools, Churches and Similar Institutional uses  
-Individual Retail or Service Stores in a Multiple Dwelling  
-Limited Individual or Groups of commercial Uses

#### Neighbourhood Plan(s)

-The subject property is designated for "single, double and attached housing" in the approved Durand Neighbourhood Plan  
-The property is located in the South Durand area which is being studied by the area residence with assistance from the Neighbourhood Section. This study will examine measures which could be taken to conserve the character of South Durand through zoning amendment

### CURRENT STATUS:

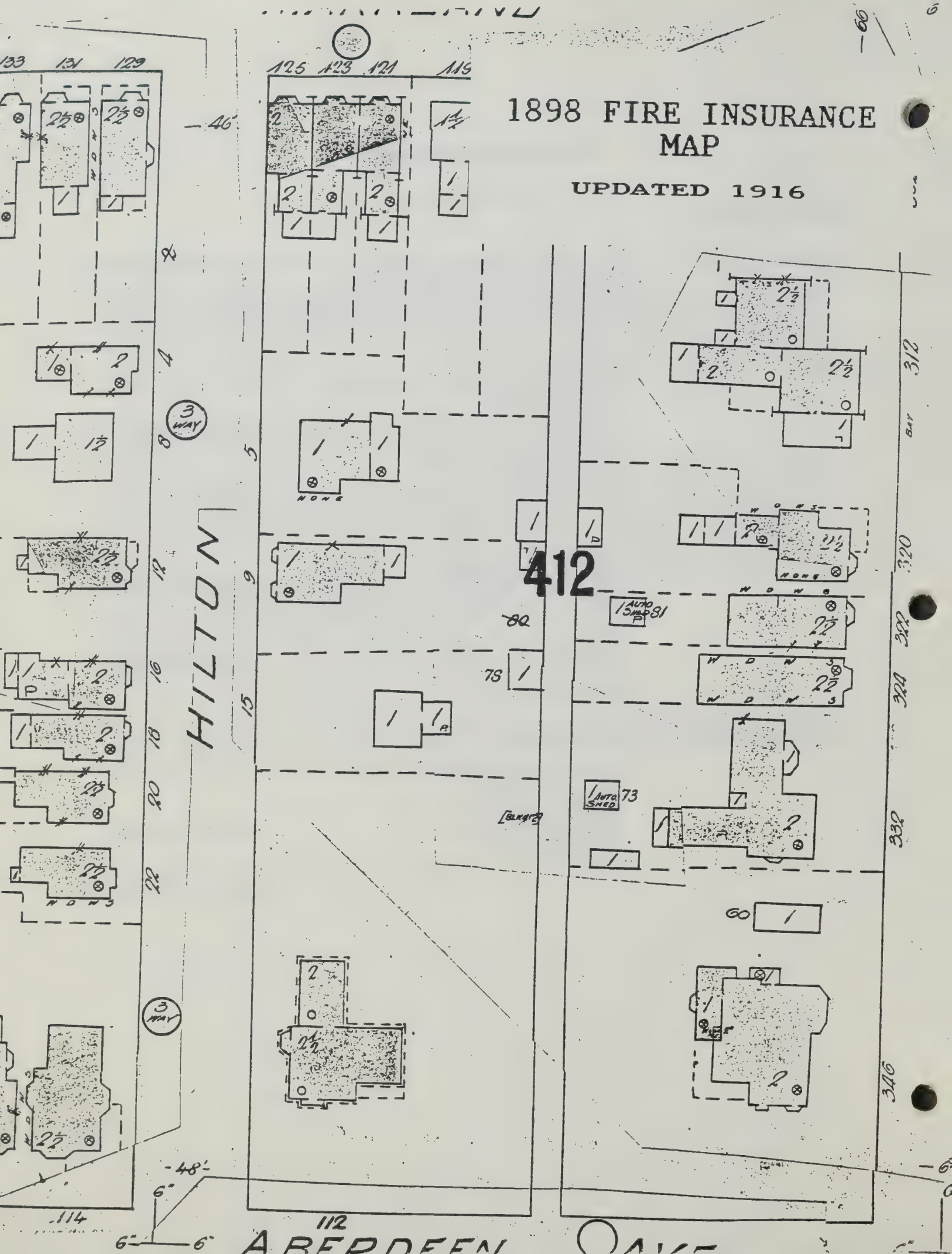
As of July 1989

Heritage Designation - No  
Listed Building - Yes  
Site Plan Control - No  
Demolition Control - No  
Zoning Change - No

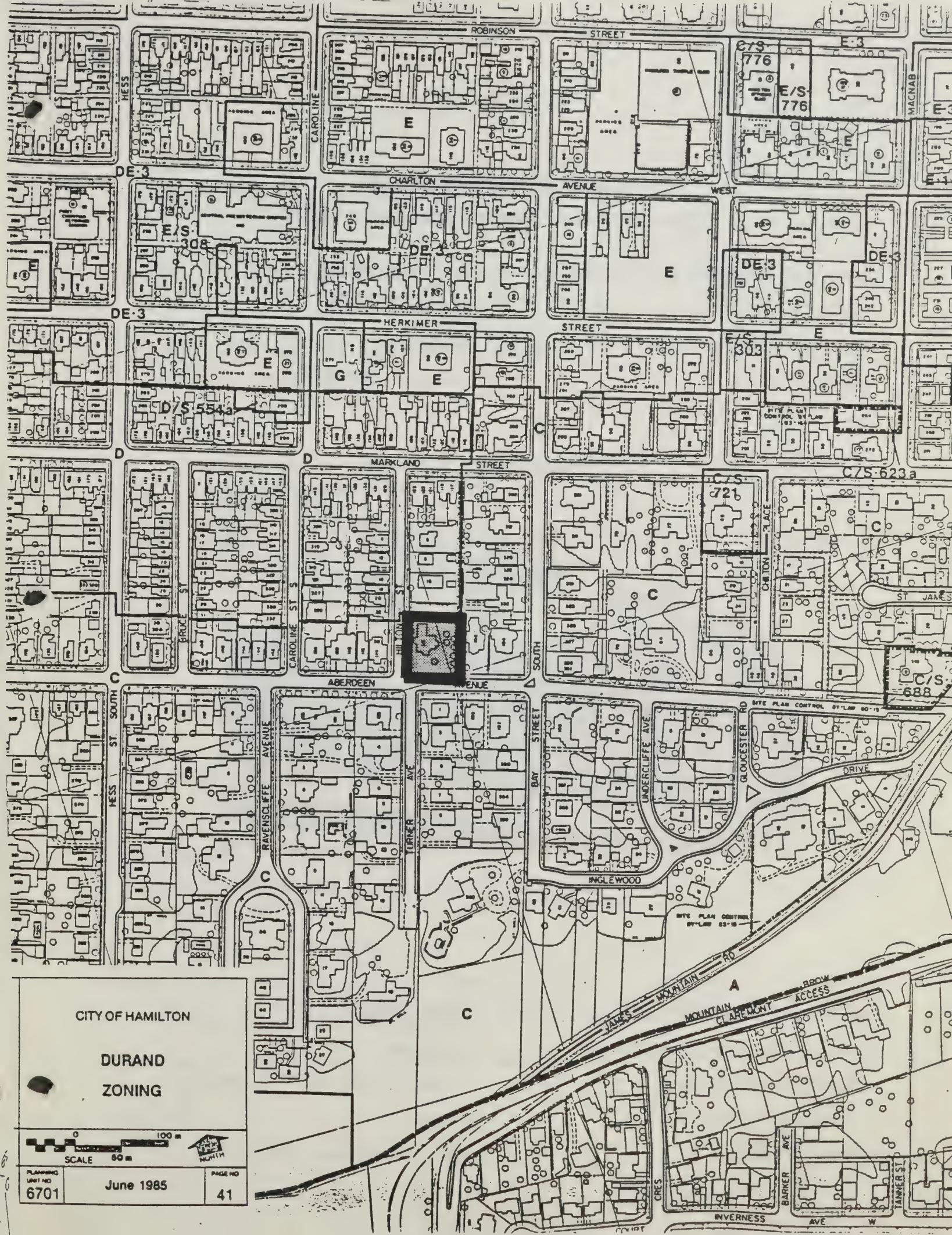


1898 FIRE INSURANCE  
MAP

UPDATED 1916







CITY OF HAMILTON

DURAND  
ZONING



PLANNING  
UNIT NO  
6701

June 1985

PAGE NO  
41



**HAMILTON LACAC  
HERITAGE RESEARCH FORM**

NAME AND ADDRESS OF PROPERTY: 112 Aberdeen Avenue  
PRESENT OWNER(s): Bruce S. Law  
PRESENT OCCUPANT(s): Same  
PRESENT USE: Owner's Residence



DATE OF CONSTRUCTION: 1881-1882  
ARCHITECT AND/OR BUILDER: Unknown  
ORIGINAL OWNER(s): John Alexander - merchant  
ORIGINAL OCCUPANT(s): Same  
SIGNIFICANCE: Architectural/Contextual



FOR ACTION

14c.

REPORT TO: Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

FROM: C.J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 2  
COMM FILE:  
DEPT FILE:

SUBJECT: Designation of 260 MacNab Street North

RECOMMENDATION:

- (a) That approval be given to the "Intent to Designate" 260 MacNab Street North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

---

C.J. Coutts, Secretary  
Local Architectural  
Conservation Advisory  
Committee

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee at its meeting held 1989 July 31 approved this property as being eligible for designation.

The new owners, Mr. and Mrs. Paul Rigby have requested designation.

260 MacNab Street North constitutes one unit of a six unit, 2 1/2 storey Victorian rowhouse. The centre two units (256-258) have already been designated at the owners' request (by-law passed by City Council on 1989 May 30).

Reasons for Designation, photographs, map and planning information are attached.

CJC/jc  
attach.

## REASONS FOR DESIGNATION

### 260 Macnab Street North

260 MacNab Street North is one unit of a six-unit, 2 1/2 storey brick rowhouse built in 1879-80. Located two blocks south of the Custom House between Murray and Barton Streets, this outstanding Victorian terrace is a well-integrated component of the late nineteenth and early twentieth century residential area surrounding St. Mary's Church. The unusual design and flamboyant character of the MacNab Street North terrace, however, sets it apart from its neighbours and from other Victorian rowhouses in the City.

Designed by the noted Hamilton architect, James Balfour, the terrace at 252-262 MacNab Street North is one-of-a-kind in this city. Its brick masonry construction, gabled bays and segmentally arched windows are characteristic of rowhouses built in Hamilton from the 1880s through the 1910s. Its highly ornate square wooden bays decorated with bracketed cornices separating the first and second floor windows and pilasters framing the tall paired windows, however, appear to have been inspired by the all-wood Italianate houses and rowhouses built in San Francisco and other west and east coast American cities throughout the 1870s. The charm and uniqueness of the MacNab terrace derives from Balfour's skilful blending of forms and details borrowed from two quite distinct vernacular row housing traditions. The first two floors of the wooden bays, strikingly similar in design to San Francisco Italianate houses, are crowned by steep-pitched gables decorated with bargeboard, a typical High Victorian Gothic feature characteristic of 1880s row housing in Hamilton. The roofline is also punctuated by steep gabled dormers. The roofs and railings of the porches set between the square bays do not appear to have been part of Balfour's original design. .

Historically, the row is important for its association with Henry J. Larkin, a barrister and developer who built the fine Renaissance Revival commercial block on James Street North known as Treble Hall (originally Larkin Hall), also designed by James Balfour and erected in 1879. The MacNab Street North terrace was owned by the Larkin family until 1889 and remained under single ownership until it was subdivided amongst five owners in 1942.

Important to the preservation of 260 MacNab Street North is the street facade, including the brick masonry wall and stone lintels, the ornate gabled wooden bay, the original windows and doorway, and the roof and dormer (but excluding the later porch addition).



252-262 MacNab Street North: Planning Information



Current Zoning - "D"- Urban Protected Residential { One-Two Family Dwellings, Townhouses }

Site Description - Residential area of a mix of detached and row housing, mostly late nineteenth-early twentieth century vintage.

Planning Policies - a) Neighbourhood Plans - Central Area Plan designates the properties as "mixed use".  
The Central Neighbourhood Plan designates the the properties as "Residential ,single, double and attached".

b) Official Plan - Designated "Residential" on Schedule "A" of the O.P. Similar densities and types of dwellings are favoured. Policy C.7.3 - promotes the restoration and rehabilitation of housing structures exhibiting Architectural or Historical merit. Properties are also within SPECIAL POLICY AREA 3 on Schedule 'B' of the Official Plan. It is the intent of this policy to promote and protect housing in close proximity to downtown.

Current Status - October 28, 1988

	Yes	No
a) Heritage Designation	(256-258)	x (260)
b) Listed Building/s	x	
c) Site Plan Control		x
d) Demolition Control		x
e) Zoning Change		x





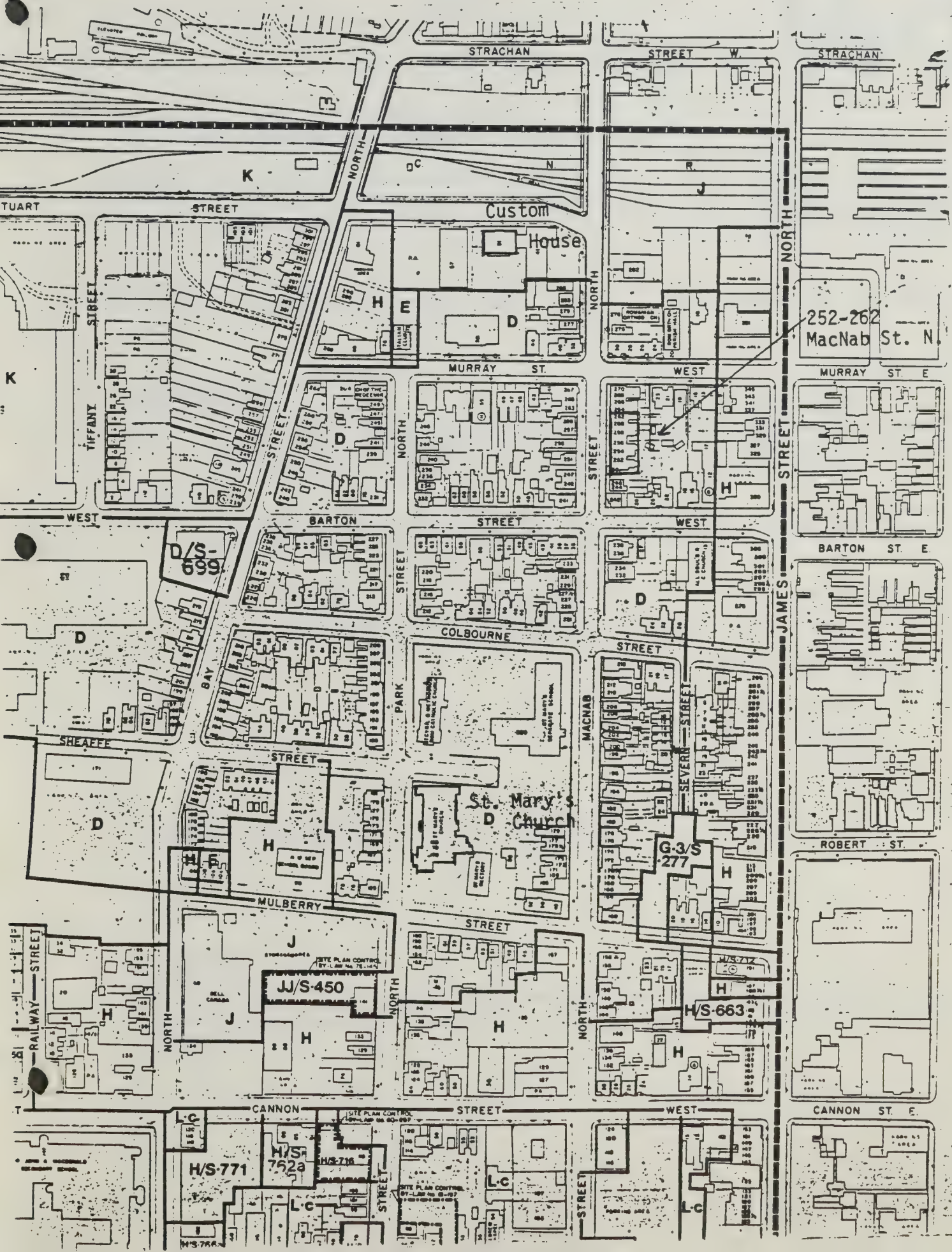
Current photograph showing the upper stories of the three units at the north end (#258, 260 and 262).



Photograph taken in early 1970s showing lower facades of #260 and #262.



# Central Neighbourhood Map



June 29, 1989

LACAC  
Hamilton City Hall  
Hamilton  
Ontario

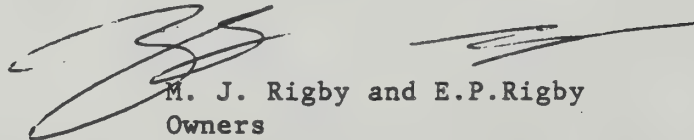
Attention: Nina Chapple

Dear Nina,

Please consider this letter as our request for designation of our property at 260 MacNab Street North in Hamilton.

We look forward to you earliest reply.

Yours Sincerely



M. J. Rigby and E.P. Rigby  
Owners



FOR ACTION

14d.

REPORT TO: Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

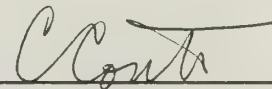
FROM: C.J. Coutts, Secretary  
Local Architectural Conservation  
Advisory Committee

DATE: 1989 August 2  
COMM FILE:  
DEPT FILE:

SUBJECT: Designation of Tivoli Theatre  
108-112 James Street North

RECOMMENDATION:

- (a) That approval be given to the "Intent to Designate" 108-112 James Street North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.



C.J. Coutts, Secretary  
Local Architectural  
Conservation Advisory  
Committee

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

N/A

BACKGROUND:

The Local Architectural Conservation Advisory Committee at its meeting held 1989 March 31 gave preliminary approval to the designation of the Tivoli Theatre building.

Mrs. S.K. Reeder, Secretary  
Planning & Development Committee

Re: Designation of Tivoli Theatre

... 2

Letters and information packages have been sent to the new owner of the front section of the building and to the Director of Property Management for Famous Players Inc., owner of the rear wing housing the theatre auditorium.

Reasons for Designation, photographs, map and planning information are attached.

CJC/jc

attach.

## REASONS FOR DESIGNATION

### Tivoli Theatre, 108-112 James Street North

Built in 1875 as a carriage factory for J.P. Pronguey, the building at 108-112 James Street North has served primarily as a theatre since 1908. Known since 1924 as the Tivoli, it is one of the most historically interesting and architecturally distinctive of the buildings which make a major contribution to the James North heritage streetscape.

#### Architectural Significance

Designed by Hamilton architect Albert H. Hills in the popular Second Empire style, Pronguey's carriage factory was clearly intended to make a bold statement of his entrepreneurial ambitions. Typical of this style are the arched windows with moulded surrounds and the ornate mansard roof, with its bracketed cornices and dormer windows of varied design. Of particular interest is the mansard tower of convex shape featuring tall, paired arched dormers surmounted by circular windows and originally crowned by ornamental iron cresting.

#### Context

With its dominant corner tower, Pronguey's high-styled coachworks originally provided a dramatic terminus to the block extending from Gore (Wilson) Street to Cannon. Its visual prominence, though diminished for many years by the adjacent Grand Opera House and Hotel built in 1880, has been regained with their respective demolition in 1960 and 1986.

Standing side by side, Pronguey's carriage factory and the Grand Opera House reflected the diversity of civic, commercial, and entertainment functions which characterized James Street North in the late nineteenth century and the landmark quality of many of its buildings: notably, the old City Hall (1888-1961), Christ's Church Cathedral, the first Post Office (1856), the Royal Hotel (1857-1935), the Armouries (1888), and the Hamilton Brass Foundry (1873).

#### Historical Significance

In the course of its history, the building at 108-112 James Street North has served many different uses: a carriage works (until 1901), a bowling alley on the second floor (1908-64), various restaurants and retail businesses at street level (most recently the Union Furniture Co.), and of particular significance, a succession of theatres: the Wonderland (1908), the Colonial (1910-12), the Princess (1913-23), and finally the Tivoli. The earlier theatres were located in the space which became the lobby of the Tivoli, whose auditorium occupied the large rear wing.



The Tivoli has an important place in Hamilton's theatre history. The Wonderland was reputedly the City's first film theatre while the Tivoli, a vaudeville theatre and motion picture house, was the first theatre to introduce sound movies in the late 1920s. Of the numerous theatres built in Hamilton during the early 20th century, the Tivoli counted among the six largest and grandest: the Grand Opera House, Loew's (the Capitol), the Pantages (Palace), the Savoy, the Lyric (Century) and the Temple. All but the Tivoli and the Century have been demolished; and only the Tivoli has retained any part of its original interior decor. This theatre was greatly admired for its sumptuously decorated "Italian Renaissance" lobby and auditorium, much of which was covered or removed when the first major renovations were carried out in 1954.

#### Designated Features

- Important to the preservation of the Tivoli Theatre are:
1. the original architectural features of the front (west) and side (south) facades, including the mansard roof and upper storey windows; and
  2. the auditorium interior, excluding the backstage area.

## PLANNING INFORMATION

108 James Street North  
Tivoli Theatre

CURRENT ZONING: "H" (Community Shopping and Commercial) District  
-maximum height - 8 stories/setback - 3.94 ft

PLANNING POLICIES: Official Plan  
-The subject properties are designated Central Policy Area on Schedule A  
-Encouragement may be given to incorporate historically and architecturally valuable buildings within new development

-In addition to the above, the subject properties are also located within Special Policy Area 3 on Schedule B - Special Policy Areas of the Official Plan. It is the intent of this Special Policy Area to promote and protect housing in close proximity to the downtown.

Neighbourhood Plan(s)

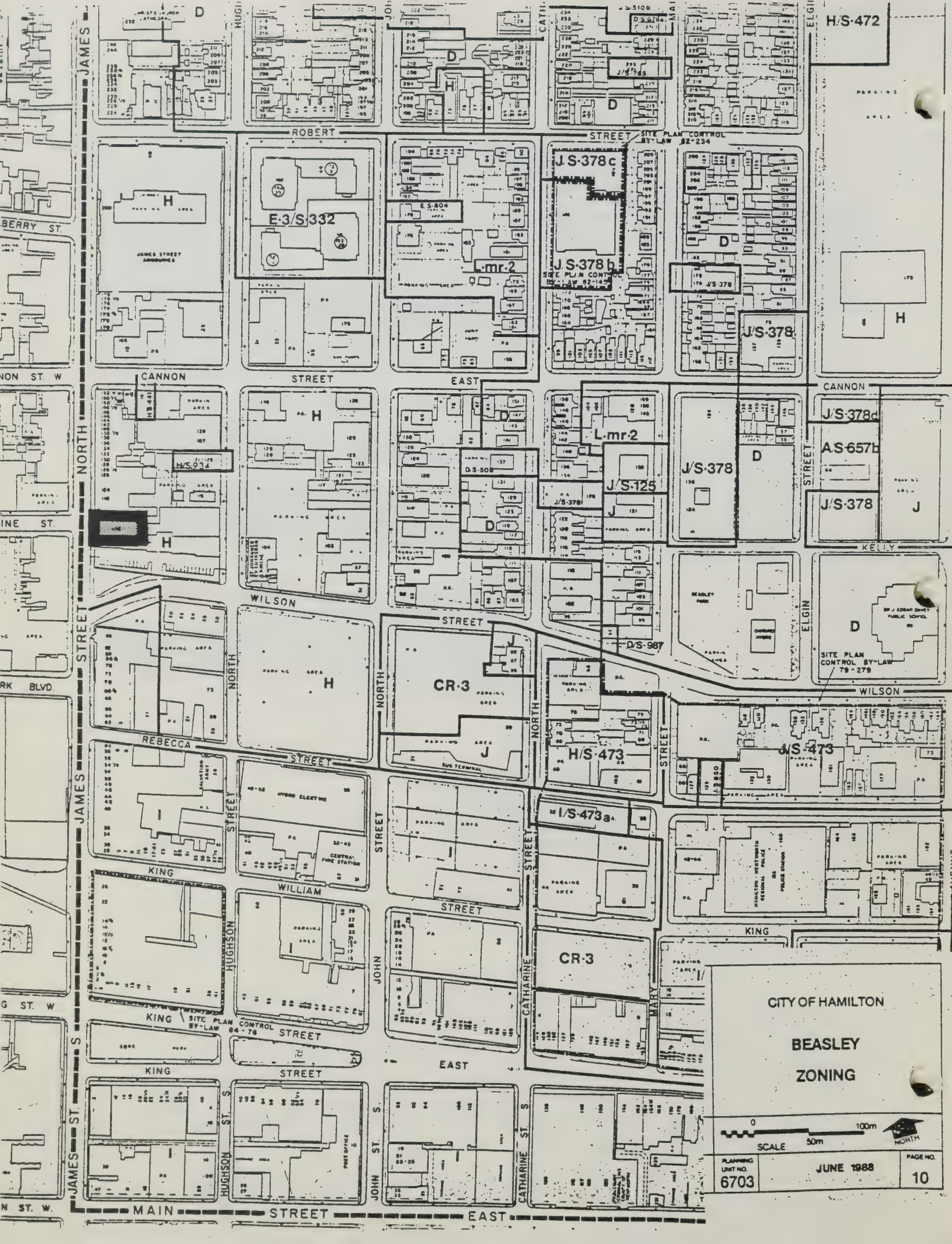
-Central Area Plan designates site as a "Commercial Centre" which encourages a variety of uses including a cinema

-The Beasley Neighbourhood Plan designates the property "Commercial and Apartments" - any re-use of the building should be encouraged to include a residential component as strongly supported in the draft new Central Area Plan

CURRENT STATUS: as of July 1989

Heritage Designation - No  
Listed Building - Yes  
Site Plan Control - No  
Demolition Control - No  
Zoning Change - No





H/S-472

STREET SITE PLAN CONTROL BY-LAW 82-234

J/S-378c

J/S-378b

SEE PLAN CONTROL BY-LAW 82-145

J/S-378

CANNON

J/S-378d

AS-657b

J/S-378

KELLY

D

SITE PLAN CONTROL BY-LAW 79-279

WILSON

J/S-473

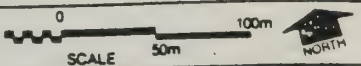
H/S-473

J/S-473a

CR-3

CITY OF HAMILTON

BEASLEY  
ZONING



PLANNING UNIT NO. 6703  
JUNE 1988  
PAGE NO. 10



## TIVOLI THEATRE

Address: 108 - 112 James Street North

Present Owners: Nam Kwon & Huan Soo Choi (Thornhill, Ont.)  
Famous Players Inc.

Present Occupants: Famous Players Inc. and Union Furniture Ltd.

Present Uses: cinema and furniture store



Date Built: 1875

Architect: Albert H. Hills

Original Owner: J.P. Pronguey

Original Use: carriage factory

Subsequent Uses: 1908 to present: theatre  
1908 to 1964: bowling alley on 2nd floor  
Plus a variety of retail establishments and restaurants



MAYOR'S OFFICE

Memorandum

15.

\*\*\*\*\*

TO: Mr. Victor Abraham  
Director of Planning

DATE: June 16, 1989

JUN 16 1989

**Ms. Susan Reeder**

Secretary of Planning & Development Committee

FROM: D. A. Carson  
Executive Assistant to the Mayor

RE: SHALOM VILLAGE

The Mayor would like this item on the agenda of the next Planning & Development Committee meeting for consideration.

In the meantime, please investigate this situation and respond to D. Carson as soon as possible.

*D. A. Carson/gc.*

DAC/gc

cc: Mr. E. Simpson  
Mr. L. Sage  
Mr. E. Matthews





# SHALOM VILLAGE

70 MACKLIN STREET NORTH, HAMILTON, ONTARIO L8S 3S1  
528-5377

JUN 14 1989

## HONORARY PRESIDENTS

Marvin Goldblatt  
Mrs. Frances Soble Harnick  
Frank Levy  
Mrs. Samuel Smurlick

June 12, 1989.

JUN 14 1989

## PAST PRESIDENTS

Samuel Smurlick\*  
Ludwig Benario\*  
Lewis S. Ross, Q.C.  
Dr. Jack J. Shekter  
Morley Goldblatt\*  
Dr. Ronald Kaplan

Mayor Bob Morrow,  
Mayor,  
City of Hamilton,  
71 Main St. W.,  
HAMILTON, Ontario.  
L8N 3T4

## PRESIDENT

Leon Price

## VICE PRESIDENTS

Ruth Goldberg  
Clarence Katz  
Dr. Mark Nagler

Dear Mayor Morrow:

## SECRETARY

Bert Phillips

As you are aware, Shalom Village is presently constructing a non-profit nursing home. On application for our building permit, which cost the organization \$26,116.00, we were requested to pay an additional \$17,500 as a land dedication fee.

## TREASURER

Leslie Lasky

We would respectfully request that you investigate this charge as we believe that we, as a non-profit, charitable organization having to raise the total capital cost without Government assistance, should not be burdened with additional charges.

## BOARD MEMBERS

David Burman  
Rabbi W. Eisenstein  
Linda Goldhar  
Bernard Greenbaum  
Nouly Howard  
Sylvia Jacobs  
Dr. Lester Krames  
Leslie J. Pasis  
Batia Phillips  
Marion Phillips  
Ray Rosenberg  
Dr. Carolyn Rosenthal  
Ben Shekter, Q.C.  
Nathan Sherman  
Dorothy Sherman  
Harriette E. Smurlick  
Pamela Sniderman  
Samuel Soifer  
Jay State  
Andrea Stringer  
Isabel Strub  
Marie Sutin  
Chester Waxman  
Rochelle Waxman  
Arthur Weisz  
David Wright  
Irving Zucker

Anything you could do to reimburse us would be most appreciated.

Yours sincerely,

*Arthur Weisz Irving Zucker*

Arthur Weisz,  
Irving Zucker,  
Co-Campaign Chairmen,  
Shalom Village Nursing Home.

AW/IZ/mr

## HAMILTON JEWISH FEDERATION

Phil Leon

## RABBINATE

Rabbi Bernard Baskin  
Rabbi Morton Green  
Rabbi Israel N. Silverman

## ADMINISTRATOR

Sheila Burman

\*deceased



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWOF

Planning and Development Department  
71 Main Street West, Hamilton, Ont. L8N 3T4

16.

Refer to File No.

Attention of

Your File No.

4331

July 31, 1989

AUG 8 1989

Alderman D. Agostino  
Ward 5

Dear Alderman Agostino

Re: City owned lands - Stoney Creek Ravine

By copy of this letter, I have requested Susan Reeder, Secretary Planning and Development Committee, to place this item on the August 16th agenda.

It is understood that you will be requesting the Planning and Development Committee to direct our Department to undertake a City Initiative to review the feasibility of rezoning the City owned lands in the Stoney Creek Ravine from "KK" District to "A" District.

Yours truly,

V.J. Abraham, M.C.I.P.  
Director of Local Planning

PDM/ma  
WP4331

[Redacted]  
City Clerk's office



# Dominic Agostino

Alderman — Ward 5  
Regional Councillor

City Hall, 71 Main Street West  
Hamilton, Ontario L8N 3T4  
Tel. 526-2733 • Res. 574-0179



PLANNING & DEVELOPMENT LOCAL PLANNING COMMITTEE				
File No.		JUL 25 1989		
TO	START	INT.	INFO.	ACT.
DIR.				
DE & A.				
ADMIN.				
DEA.	P.M.M.			
STAFF	GW			
CART.				
ADMIN.				

1989 July 21

Mr. V. Abraham, Director  
Planning Department

Dear Victor:

I have had requests from area residents to have the City initiate a re-design of the City owned valley lands in the Stoney Creek Ravine. This area would involve the lands east of Lake Avenue between Barton and the Q.E.W. The areas effected are now zoned "KK" and the residents would like them change to "A".

We had done a similar change in 1985 in the areas around this land but for some reason we missed this particular block. I would like this item to go on the next agenda for the Planning and Development Committee in order for Council to give staff permission to initiate the process for this change.

I would appreciate any comments or concerns you may have regarding this item. Please find enclosed a copy showing the areas involved.

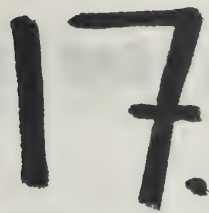
Sincerely,

Dominic Agostino, Alderman,  
Ward 5

DA:tb

c.c. Ms. S. Reeder, Secretary,  
Planning and Development Committee





cc: Alderman John Smith, Chairman  
Planning and Development Committee



FOR INFORMATION

18.

REPORT TO: Mrs. S. K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. Paul Fisher  
Committee of Adjustment

DATE: 1989 August 1

COMM FILE:

DEPT FILE: 89.2.4.2.1

'AUG 8 1989

SUBJECT: Reply to your letter dated 1989 July 21 with respect to Committee of Adjustment Decisions and Cash-In-Lieu of Parking.

BACKGROUND: A review of Committee of Adjustment files from midyear 1986 to midyear 1989 was made in order to search out files where Planning Staff comments suggested Cash-In-Lieu of Parking rather than minor variance approval by the Committee of Adjustment. A total of 11 such files have been found and the disposition of these applications with other relevant information is on the attached chart.

The records will show that in no case did the Committee of Adjustment recommend Cash-In-Lieu. To do so would be tantamount to a denial of the application. The Committee of Adjustment must base its considerations on the appropriateness of a variance having regard only to those matters to be considered under Section 44(1) of the Planning Act. In the event of the denial of a minor variance, Cash-In-Lieu of Parking remains as one of several alternatives available to a Developer.

*Paul Fisher*



**Committee of Adjustment Files  
and Cash-In-Lieu of Parking From Mid 1986 to Mid 1989**

Application Number	Municipal Address	Nature of Variance	Nature of Planning Staff Comments to the Committee of Adjustment	Disposition of Application
A-89:65	1322 King Street East	6 parking spaces instead of 26	See Note "A"	Variance Denied
A-89:58	640 Concession Street	0 parking spaces instead of 5	See Note "A"	Variance Denied
A-89:27	190 King Street East	0 parking spaces instead of 4	See Note "A"	Variance Granted
A-89:21	215 to 217 King St. East	0 parking spaces instead of 4	See Note "A"	Variance Granted
A-87:157	681 King Street West	590 parking spaces instead of 804	See Note "B"	Variance Granted
A-87:147	24 & 28 Parkdale Ave. North	6 parking spaces instead of 9	See Note "A"	Variance Granted
A-87:136	279 Kenilworth Ave. North	10 parking spaces instead of 19	See Note "A"	Variance Granted
A-87:129	681 King Street West	0 parking spaces instead of 14	See Note "C"	Variance Denied
A-87:67	34, 38-42 Ottawa St. North	5 parking spaces instead of 23	See Note "D"	Variance Granted
A-87:64	279 Kenilworth Ave. North	10 parking spaces instead of 35	See Note "D"	Variance Granted Conditionally
A-88:189	1146 Barton Street East	4 parking spaces instead of 14	See Note "A"	Variance Denied
Note "A"	Planning staff recommended denial of variance and suggested that the applicant may wish to apply under the Cash-In-Lieu of Parking Policy.			
Note "B"	Planning staff comments indicated that an original Site Plan Agreement requirement for Cash-In-Lieu of Parking was waived by the Planning and Development Committee.			
Note "C"	Planning staff comments indicated that there was a Site Plan Agreement requirement for Cash-In-Lieu of Parking.			
Note "D"	Planning staff recommended tabling of the minor variance application to allow the applicant time to pursue the other alternative of Cash-In-Lieu of Parking.			

## FOR ACTION

19.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** AUGUST 9, 1989  
**COMM FILE:**  
**DEPT FILE:** CI-89-F

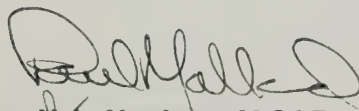
**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

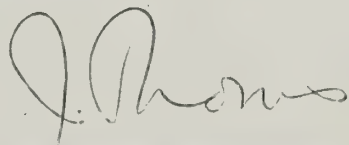
**SUBJECT:**

City Initiative - review of the definition of "Townhouse Dwelling".

**RECOMMENDATIONS**

1. That the Planning and Development Department be directed to hold a Public Meeting respecting the following proposed changes to By-law No. 6593:
  - 1.1 That the definition of "Townhouse Dwelling" be amended to delete the phrase "...not more than eight single-family dwelling units but...".
  - 1.2 That the definition of "Maisonette Dwelling" be amended to delete the phrase "...not more than sixteen single-family dwelling units, but...".
  - 1.3 That the "RT-10" (Townhouse) District and "RT-20" (Townhouse - Maisonette) District be appropriately amended to introduce new regulations respecting "Dwelling Unit Placement", to prohibit a "Townhouse" building from containing more than 8 single-family dwelling units, and a "Maisonette" building from containing more than 16 units.
  - 1.4 That the applicable multiple dwelling zoning districts be appropriately amended to introduce a new by-law provision requiring "multiple dwellings" containing a "townhouse" or "maisonette" component to comply with the respective By-law provisions for gross floor area ratio (multiple dwellings), and intensity of use (townhouse and maisonette dwellings).
2. That the Planning and Development Department be directed to not recommend Site Plan Approval for plans where the proponent has utilized By-law inconsistencies to circumvent the intent of the By-law.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, Commissioner  
Planning and Development  
Department

## **BACKGROUND**

At its meeting of July 12, 1989 the Planning and Development Committee requested that the definition of "Townhouse Dwelling" be reviewed with the aim of differentiating such use from a "Multiple Dwelling".

## **PROBLEM**

As set out under Section 2.(2)A.(viib) of Zoning By-law No. 6593 a "Townhouse Dwelling" is defined as follows:

"shall mean a building not more than one single-family dwelling unit in height, designed and constructed to contain not more than eight single-family dwelling units but not less than three single-family dwelling units attached to each other, side by side, in one row and in substantial harmony with each other, each of which dwelling units,

- a) has separate front and rear entrances or separate front and side entrances, and
- b) is joined on one or both sides by a party wall to another dwelling unit in the same row;"

For purposes of By-law interpretation and enforcement, the Building Department has advised that under any multiple dwelling zoning district (e.g. "DE", "E", etc.), except for an "RT-10" & "RT-20" District, a "townhouse dwelling" becomes a "multiple dwelling" when nine (9) or more single-family dwelling units are attached in one row. Consequently, such development would become subject to the By-law regulations for multiple dwellings rather than townhouses, notwithstanding that the form of development is a typical townhouse.

In this regard, a "townhouse dwelling" built under the guise of a "multiple dwelling" would benefit from lower by-law standards respecting landscaped area (25% vs. 40%), parking (1.25 spaces/unit vs. 1.5 spaces per unit), and density (230 m<sup>2</sup> lot area/unit vs. g.f.a. ratio). Furthermore, depending upon the bulk and scale of development additional breaks respecting yard requirements, separation distances between buildings, etc. could be obtained. Conversely, in some instances certain provisions would be more restrictive (e.g. rear yard requirement).

The intent of including the clause "...not more than eight single-family dwelling units..." in the definition of "townhouse dwelling" was to control the massing of development, not to preclude developments having more than 8 units in a row from the definition. For example, where plans were submitted for a development having ten (10) units in a row, the definition was intended to operate so as to require the proponent to break the development into smaller components (e.g. 7 units and 3 units; 5 and 5; etc.).



## **ALTERNATIVE ACTIONS**

### ● **Amend Definition of Townhouse Dwelling**

The definition of "Townhouse Dwelling" could be amended to delete the phrase "...not more than eight single-family dwelling units but..." so that it reads as follows:

"Dwelling, Townhouse", shall mean a building not more than one single-family dwelling unit in height, designed and constructed to contain not less than three single-family dwelling units attached to each other, side by side, in one row and in substantial harmony with each other, each of which dwelling units,

- a) has separate front and rear entrances or, separate front and side entrances, and
- b) is joined on one or both sides by a part wall to another dwelling unit in the same row.

In this regard, any development having (3) or more single-family dwelling units in a row, side by side, would be a "townhouse dwelling". For purposes of controlling the massing of buildings, the appropriate sections of the By-law (e.g. "RT-10" and "RT-20" Districts) would have to be amended to introduce provisions respecting "Dwelling Unit Placement" (i.e. not more than 8 in a row).

However, it should be noted that these actions alone will not preclude innovative designers/builders from circumventing the intent of the By-law. For example, if a building were designed to contain 8 single-family dwelling units in a row, with an end unit containing two dwelling units (e.g. 2 units high) it would, by definition, be considered a "multiple dwelling."

### ● **Amend Definition of Multiple Dwelling**

As set out under Section 2.(2)A.(viii) of By-law 6593, a "multiple dwelling" is defined as follows:

"Dwelling, multiple" shall mean a building comprising four or more self-contained Class A dwelling units, whether or not a private garage or any other accessory building is attached except a building comprising a Townhouse Dwelling or a Maisonette Dwelling.

If the definition were amended to reflect traditional definitions of "apartments" by requiring "each unit to have access only from an internal corridor", the majority of potential loopholes respecting "townhouse" developments would be effectively overcome.

However, the negative aspect of this option would be to preclude innovative multiple dwelling designs (e.g. stacked townhouses). Accordingly, this alternative is not considered beneficial.

### ● Site Plan Control

Both "townhouse dwellings" and "multiple dwellings" are subject to Site Plan Approval. An effective means of preventing developers from using loop-holes to build "townhouses" under the guise of "multiple dwellings", would be to withhold Site Plan Approval on those developments which circumvent the intent of the By-law. This would compel developers to adhere to the intent and purpose of the By-law, and comply with the applicable by-law regulations, regardless of By-law technicalities.

Consequently, where a proponent was insistent on utilizing loop-holes in the By-law, his only recourse would be to appeal the matter to the O.M.B. (Ontario Municipal Board). Such action is highly unlikely given the time delays involved.

### ● Density Control

The biggest advantage to a proponent in having a "townhouse" type development built as a "multiple dwelling" is density. Normally, townhouses are required to provide a minimum of 230 m<sup>2</sup> of lot area per unit (approx. 17 u/ac.), whereas multiple dwellings are regulated by a gross floor area ratio (e.g. "E" District - 1.7 x lot area). Depending upon unit size and building design, typical "townhouse" type developments can be built at higher densities.

A possible way to keep densities at their intended level, would be to require "multiple dwellings" having a "townhouse" component to comply with their respective by-law requirements. For example, an apartment building with an identifiable "townhouse" element would have the density controlled as follows:

- "Townhouses" would have to provide a minimum 230 m<sup>2</sup> area per unit;
- "Multiple Dwelling" would have the g.f.a. calculated on based of total lot area minus required lot area for townhouses times the g.f.a. ratio.

This could be facilitated by amending the respective "Floor Area Ratio" requirements as follows:

No building or structure in an "E" District shall have a gross floor area greater than the area within the district of the lot on which it is situated, multiplied by the floor area ratio factor of 1.7. Except, that where a multiple dwelling has a townhouse component the "Intensity of Use" requirements for the townhouse dwelling shall be calculated separately, and the floor area ratio for the remainder of the multiple dwelling shall be appropriately adjusted.

## **COMMENT**

The foregoing alternative actions have been reviewed with the Building Department. **It is generally agreed that there is no sure way to effectively block the loop-holes respecting the development of "townhousing" type development under the guise of a "multiple dwelling".** However, the Planning and Development Department, in conjunction with the Building Department, will continue to review the By-law in order to identify other possible options. During the interim, the implementation of the following actions would assist in more closely adhering to the intent of the By-law:

- amend definition of "townhouse dwelling" to delete the phrase "...not more than eight single-family dwelling units but...";
- amend the "RT-10" (Townhouse) District and "RT-20" (Townhouse - Maisonette) District by introducing a design provision respecting "Dwelling Unit Placement" (e.g. max. 8 in a row);
- that the appropriate zoning districts be amended to introduce a new By-law regulation requiring "multiple dwellings" with a "townhouse" component to comply with the respective regulations for "gross floor area" (multiple dwelling) and "intensity of use" (townhouse dwellings);
- that the Planning and Development Department be directed to withhold recommending Site Plan Approval to the Planning and Development Committee, for those proposed developments that do not comply with the intent of the By-law, regardless of technical inconsistencies in the By-law.

Given the similarities between the definitions of "townhouse dwelling" and "maisonette dwelling", the by-law provisions respecting "maisonette dwellings" should be appropriately changed.

Due to the requirements of the Planning Act, a Public Meeting will have to be held prior to the formal approval of the aforementioned By-law changes. However, the action respecting Site Plan Approval could be implemented immediately as no By-law changes are required.

## **CONCLUSION**

On the basis of the foregoing, the Planning and Development Committee could direct the Planning and Development Department to undertake the following:

1. To hold a Public Meeting to review the aforementioned proposed changes to Zoning By-law No. 6593 respecting "townhouse dwellings", "maisonette dwellings" and "multiple dwellings".
2. That the Planning and Development Department be directed to not recommend Site Plan Approval where the proposed development conflicts with the intent of the Zoning By-law, and attempts to take advantage of By-law inconsistencies.





FOR ACTION

20.

REPORT TO: SUSAN K. REEDER, SECRETARY OF THE  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: J. D. THOMS  
COMMISSIONER  
PLANNING AND DEVELOPMENT

DATE: 1989 JULY 21  
COMM FILE:  
DEPT FILES: SA-89-07  
25CDM-89010

JUL 24 RECD

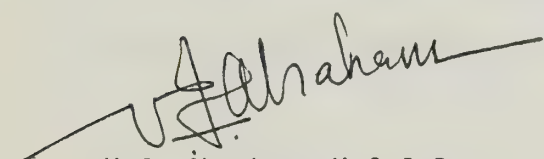
SUBJECT

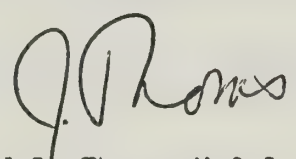
Proposed Draft Plan of Condominium "Centergate Properties".

RECOMMENDATION

That approval be given to application SA-89-07, "Centergate Properties", Centergate Properties Ltd., owner, to establish a draft plan of condominium located at the north side of Hunter Street, west of Ferguson Avenue, subject to the following conditions:

1. That this approval apply to the plan prepared by Guido Consoli Surveying Ltd., dated December 5, 1989.
2. That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Dept.

FINANCIAL IMPLICATIONS

N/A

BACKGROUND

Owner

Centergate Properties Ltd., Hamilton, Ontario

Agent

J.C. Pelech, Hamilton, Ontario

Surveyor

B. Jacobs O.L.S. of Guido Consoli Ltd., Hamilton, Ontario

Location

The lands, comprising 0.297 ha., are located on the north side of Hunter Street and west of Ferguson Avenue in the Corktown Neighbourhood, City of Hamilton.

Purpose

The owner is in the process of constructing 80 apartment units within one building.

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Existing Development" within the "Urban Policy Areas". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Central Policy Area". The proposal complies.

Neighbourhood Plan - the lands are designated "High Density Apartment". The proposal complies.

Zoning - the lands are zoned "E-3 - High Density Multiple Dwellings" District which permits the proposed use. The proposal complies.

Niagara Escarpment - the lands are not within the Development Control Area, therefore the regulations do not apply.

COMMENTS FROM CIRCULATION

The following agencies have advised that they have no comment or objection toward the development:

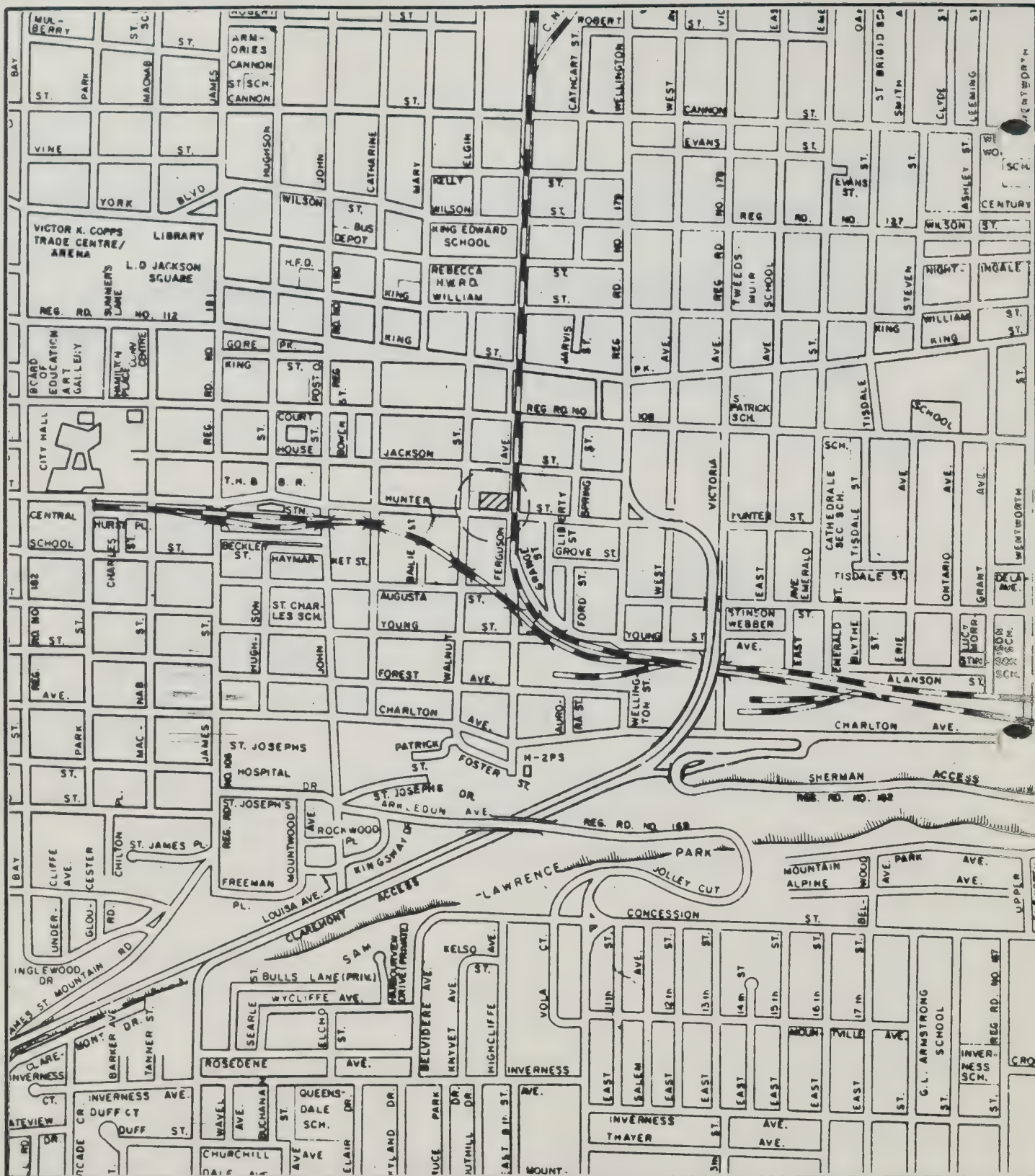
Ministry of Culture and Communications;  
Ministry of the Environment;  
Ministry of Transportation  
City Board of Education;  
Hamilton-Wentworth Roman Catholic Separate School Board;  
City Traffic Department;  
City Building Department;  
Union Gas, Bell Canada, Ontario Hydro;  
Hamilton-Wentworth Department of Engineering.



COMMENTS

1. The conformity of the proposal with the Official Plans and Zoning By-law is noted.
2. No commenting agency has objected to the plan of condominium.
3. The owner received approval of a Site Plan under DA-88-71 which was approved on October 13, 1988. The draft plan of condominium conforms with the approved plan of DA-88-71.

JLS/sj



### Location Plan For

**DRAFT PLAN OF  
LOTS 5, 6 AND 7  
REGISTERED PLAN 48**  
(OLIVER TIFFANY SPRINGER'S SURVEY)  
(NORTH SIDE OF HUNTER STREET EAST)  
**BEING A PROPOSED CONDOMINIUM**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



PROPOSED CONDOMINIUM

North



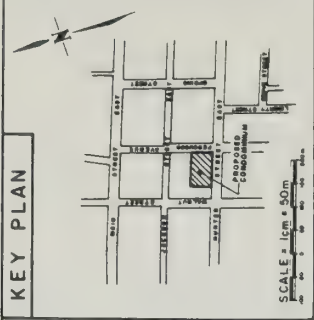
Scale  
N. T. S.

Date  
APR. 21, 1989

Reference File No.  
25CDM.-89010

Drawing No.





DRAFT PLAN OF  
**LOTS 5, 6 AND 7**  
**REGISTERED PLAN 48**  
 (NORTH SIDE OF HUNTER STREET EAST)  
 BEING A PROPOSED CONDOMINIUM  
 CITY OF HAMILTON  
 REGIONAL MUNICIPALITY OF  
 HAMILTON - WENTWORTH

SCALE = 1:200

GUIDO CONSOLI  
 ONTARIO LAND SURVEYOR  
 1986.

**BEARING NOTE:**  
 ALL BEARINGS AND DISTANCES ARE REFERRED TO THE  
 NORTHERLY LIMIT OF HUNTER STREET EAST AS SHOWN  
 ON REGISTERED ACT PLAN 780, HAVING A BEARING OF  
 N 89° 00' 00" E.

**ELEVATION NOTE:**  
 ELEVATIONS SHOWN ON THIS PLAN ARE DERIVED FROM  
 THE HAMILTON MOUND BENCH MARK WHICH IS 8.56  
 METERS ABOVE MEAN SEA LEVEL. ALL ELEVATIONS SHOWN  
 ON THIS PLAN ARE IN METERS AND CAN  
 BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**METRIC NOTE:**

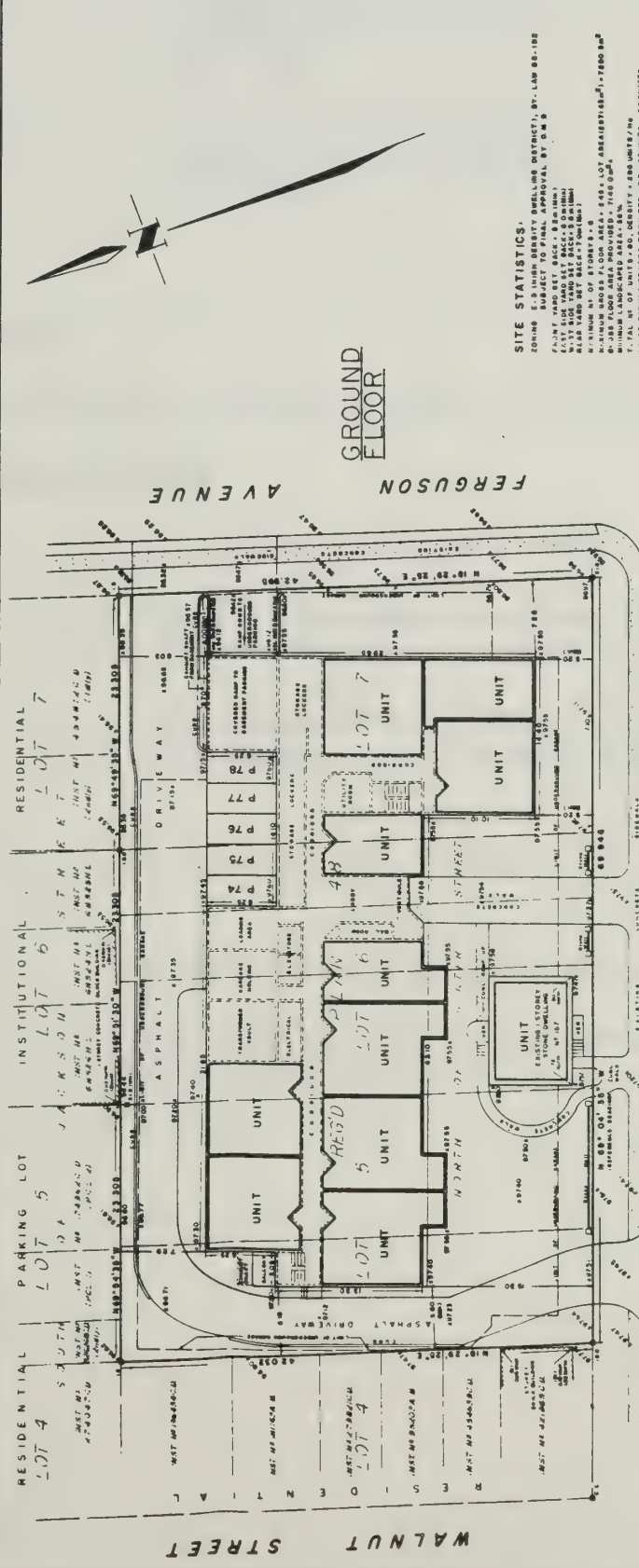
**LEGEND:**  
 SURVEY MONUMENT FOUND  
 HAMILTON MOUND BENCH MARK  
 CONDOMINIUM UNIT  
 CONDOMINIUM UNIT  
 CONDOMINIUM UNIT  
 CONDOMINIUM UNIT

**SCHEDULE RE: SECTION 50(2) (PLANNING ACT)**  
 1 SEE DRAFT PLAN  
 2 SEE DRAFT PLAN  
 3 SEE DRAFT PLAN  
 4 SEE DRAFT PLAN  
 5 SEE DRAFT PLAN  
 6 SEE DRAFT PLAN  
 7 SEE DRAFT PLAN

**OWNER'S CERTIFICATE:**  
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO  
 BE SUBDIVIDED ARE ACCURATELY SHOWN  
 CENTREPAGE PROPERTIES LTD  
 DATE 5/6/00

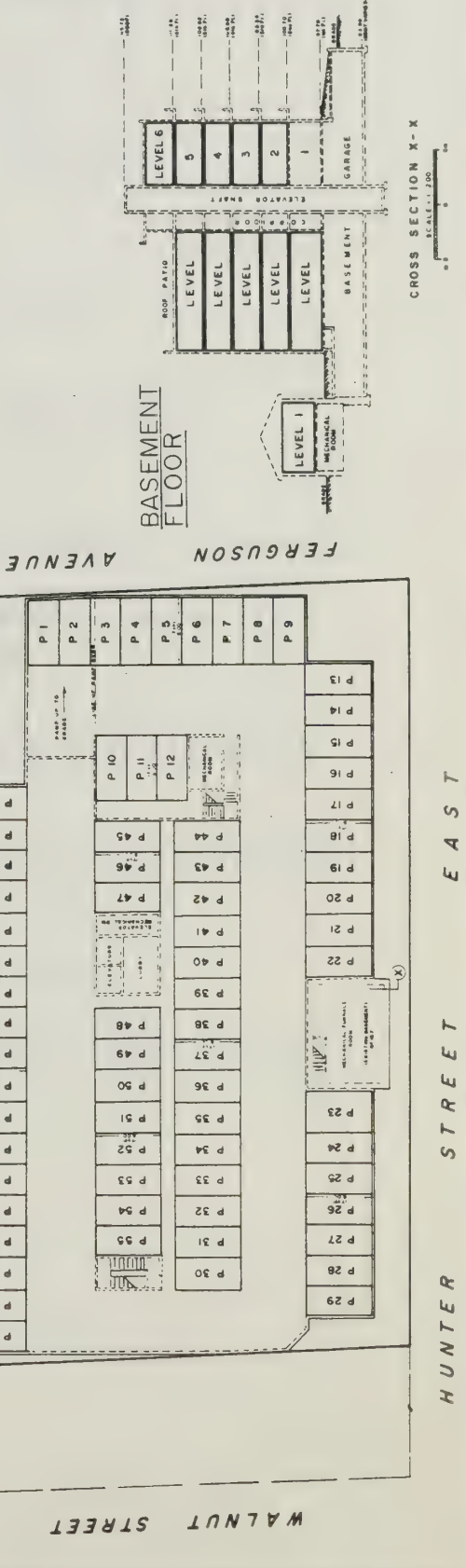
**SURVEYOR'S CERTIFICATE:**  
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO  
 BE SUBDIVIDED ARE ACCURATELY SHOWN  
 GUIDO CONSOLI  
 ONTARIO LAND SURVEYOR  
 DATE 5/6/00

**GUIDO CONSOLI**  
**SURVEYING LTD.**  
 102 JACOBSON ST. E. HAMILTON, SUITE 102  
 TEL (416) 921-1935 (L.B.M. 113)



**NOTE:**  
 1 PORTIONS OF THE COMMON ELEMENT INDICATED WITH THE LETTER "Y"  
 ARE FOR THE EXCLUSIVE USE OF THE OWNER.  
 2 BUILDING DIMENSIONS SHOWN ON THIS PLAN ARE TAKEN TO THE  
 EXTERIOR FACE OF THE CONCRETE FOUNDATION WALLS

**SITE STATISTICS:**  
 ZONING: RESIDENTIAL  
 SUBJECT TO FINAL APPROVAL BY D.M.S.  
 PLANNING ACT PLAN 780, HAVING A BEARING OF  
 N 89° 00' 00" E.  
 TOTAL LOT AREA: 1.200 HECTARES  
 TOTAL LOT AREA: 1.200 HECTARES  
 TOTAL LOT AREA: 1.200 HECTARES  
 TOTAL LOT AREA: 1.200 HECTARES







FOR ACTION

21.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
DEPARTMENT

**DATE:** July 18, 1989

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT  
DEPARTMENT

**COMM FILE:**  
**DEPT. FILE:** P6-2-66

**SUBJECT:**

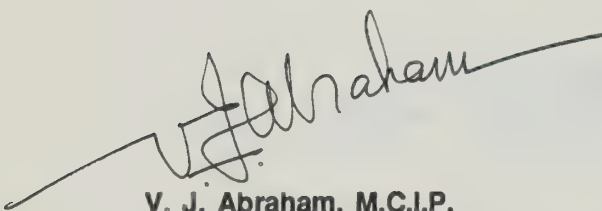
Region's proposed modifications to Official Plan Amendment No. 66 - Central Area Plan.

**RECOMMENDATION**

That Planning and Development Committee recommend to Council that the Region be advised that it:

- 1) supports all the proposed modifications to Official Plan Amendment No. 66 except for a minor change to proposed Modification No. 9 as noted on Table I attached;
- 2) does not support any changes to Official Plan Amendment No. 66 as a result of the appeals from CN and the Hamilton Harbour Commissioners (except Modification 10 as noted on Table 1);
- 3) requests the Region's assistance in discussions with CN with a view to resolving their concerns, and;
- 4) requests the Region to approve Official Plan Amendment No. 66 subject to:
  - a) the deferral of those portions of the amendment which are of specific concern of, and only as they relate to CN' objections; and,

- b) the referral of those portions of the amendment noted in the Hamilton Harbour Commissioners appeal, to the Ontario Municipal Board to be heard in conjunction with the other outstanding appeals. Referral of these portions of the amendment should only be done only insofar as they relate to the Harbour Commissioners' objections.



**V. J. Abraham, M.C.I.P.**  
Director of Local Planning  
Planning and Development Department



**J. D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department

#### **FINANCIAL IMPLICATIONS**

N/A

#### **EXPLANATORY NOTE**

The Region has requested City Council's opinion on a number of modifications and two appeal requests to Official Plan Amendment No. 66 - Central Area Plan.

#### **BACKGROUND**

City Council , on October 25, 1988, adopted Official Plan Amendment No. 66 - Central Area Plan. It was subsequently forwarded to the Regional Municipality of Hamilton-Wentworth for final approval. The Region circulated the Amendment to all interested departments and agencies for comments. As a result of this circulation, the Region is now requesting City Council's opinion on a number of proposed modifications to the Amendment. In addition, they are also requesting Council's wishes regarding two appeal requests. Both these matters will be dealt with separately in the following sections of this report. (See attached Appendix I)



### **PROPOSED MODIFICATIONS**

The Region is requesting Council's opinion on 14 proposed modifications to Official Plan Amendment No. 66. The following table (Table I) details to the following:

- modification number;
- policy reference in Official Plan Amendment;
- origin;
- existing text;
- proposed modification;
- rationale; and,
- recommendation.

In summary, all the modifications to Official Plan Amendment No. 66 as proposed by the Region can be supported, except for a minor change to proposed Modification No. 9, as noted in Table I.

### **PROPOSED APPEALS**

The Region has also requested that, in light of appeals received from the Hamilton Harbour Commissioners (H.H.C.) and from CN Railway, Council advise whether it wishes to change any parts of the Amendment.

#### **Appeal by the Hamilton Harbour Commissioners**

In response to the Region's circulation of Official Plan Amendment No. 66, the Hamilton Harbour Commissioners advised they are requesting 23 policies in the proposed Official Plan Amendment be referred to the Ontario Municipal Board. In a detailed review of these policies, it was felt that only one merited refinement in the proposed amendment (see Modification No. 10 on Table I).

In their submission, the H.H.C. states that in their opinion, "the Amendment does not adequately recognize or protect the importance of shipping and navigation and port development ... and proposes uses and activities which will adversely affect shipping, navigation and port development." They feel that shipping, navigation and port development are major contributors to the economic well-being of the City and Region and "...therefore need to take precedent over other uses."

As you are aware, the Harbour Commissioners are protected by Federal Statute (The Hamilton Harbour Commissioners Act, 1912) to carry out their mandate as it relates to shipping and navigation. A municipal planning document, such as the City's Official Plan, cannot override this Federal paramountcy. In addition, Policy 4.6.11 of the proposed Official Plan Amendment recognizes the area east of Pier 4 for Shipping and Navigation purposes, and that the Waterfront Recreation uses proposed in the Amendment will apply ONLY IF AND WHEN the area is no longer required for shipping and navigation purposes. This proposed policy supplements existing policies in the Official Plan (Policies D.8.4 and D.8.5), which recognize the Harbour Commissioners Federal paramountcy, and does not attempt to prohibit or regulate their activities as they relate to bona fide shipping and navigation.

On this basis, no changes to the Official Plan, in light of the Harbour Commissioners comments, are warranted. The one exception is noted in Modification 10 on Table I.

It should be noted that there are already referrals outstanding at the Ontario Municipal Board (at the Harbour Commissioners request) for portions of the Official Plan, as well as the implementing Harbour zoning by-laws, dating back to 1983. The nature of the Harbour Commissioners objections to proposed Official Plan Amendment No. 66 are the same as the previous referrals. On this basis, the Region should be advised that those policies objected to by the H.H.C. be referred to the Ontario Municipal Board to be heard with the others. It should be noted that the Board has not set a date for the original referral requests.

#### Appeal by C.N. Railway

In response to the Region's circulation of the proposed Amendment, CN has advised that they cannot support the amendment on the following basis:

- no residential uses of any kind are compatible with CN's operations if they are located within 300 m of the CN's Stuart Street yard;
- there are inadequate policies in the amendment concerning the required rail noise, vibration and safety mitigation measures required to permit new development adjacent to CN's rail corridors and rail facilities; and,
- the amendment is not in conformity with the Official Plan for the City of Hamilton.

In reviewing these concerns, it appears there may be room for further discussion with CN. The City's Official Plan does contain strong policies (Subsection B.3.5 - Rail Service, Subsection C.7 - Residential Environment and Housing Policy, and Subsection B.3.1 - Road Network) regarding proposed development and redevelopment of lands adjacent to railway lines. In addition, it is unclear just what is meant by the last concern regarding conformity with the Official Plan. The Region has requested CN's clarification on this matter, however no response has been received to date. On this

basis, there should be no changes to the Official Plan Amendment at this time. Those portions of the proposed amendment of specific concern to CN should be deferred until this matter can be resolved. Further, the Region should be requested to assist the City in attempting to resolve the concerns with CN.

### Summary of Appeals

Based on the foregoing, no changes to the Official Plan Amendment are warranted as a result of the two appeal requests. However, in order to expedite the approval of the Amendment, it is suggested that the Region approve the proposed Amendment, but defer those portions which directly relate to CN's concerns. Those portions of the proposed Amendment objected to by the H.H.C. (except Modification 10) should be referred the Ontario Municipal Board. There is little merit to hold up the approval of the whole amendment when deferrals/referrals of the relevant policies will suffice.

### CONCLUSIONS

On the basis of the foregoing, the Committee should recommend to Council that it:

- supports all the Region's proposed modifications to Official Plan Amendment No. 66 as noted in Table I and Maps 1 and 2 attached, except for a minor change to proposed Modification No. 9;
- does not support any changes to the proposed Amendment as a result of the appeals (the exception is Modification 10 on Table I);
- requests the Region's assistance in reaching a compromise with CN regarding their concerns;
- requests the Region to approve the proposed amendment and defer those portions which are of specific concern to CN; and,
- request the Region to refer those portions of the proposed amendment noted in the Harbour Commissioners appeal to the Ontario Municipal Board to be heard in conjunction with the other outstanding appeals.

CF/ma  
WP0019P



TABLE I

Proposed Modifications to  
Official Plan Amendment No. 68

Modification Number	Policy Reference in O.P.A.	Origin	Existing Text	Proposed Modification	Rationale	Recommendation
1	4.11.4	Niagara Escarpment Commission (N.E.C.)	"Certain portions along the southern edge of the Central Area are under Development Control regulations of the Niagara Escarpment Commission. Prior to any development or redevelopment in these areas the issuance of a development permit will be required from the Commission."	Revise Policy 4.11.4 as follows: "Within the area of the Niagara Escarpment Plan, the Niagara Escarpment Commission regulates development within the Development Control Area as defined by Ontario Regulation 684/80 as amended. Any change in use of any land, building or structure requires a Development Permit from the Niagara Escarpment Commission, including the demolition of a building, unless specifically exempted by the Regulation."	Clarification of N.E.C. control	Approval

2	New Policy	Ontario Hydro and C.N. Rail	None	<p>Introduce new policies as follows:</p> <p>"4.6.A Utility Uses</p> <p>It is the intent of the Central Area Plan to ensure that Utility Uses be recognized in the Plan and developed in an orderly manner consistent with the present and future needs of the Central Area. The planning, design and development of Utility Uses will complement the intent of policies for other land uses in the Central Area.</p> <p>4.6.A.1 The areas designated Utility Uses on Schedule A.1 are to be used for passenger terminals; freight handling facilities and related storage; railway, warehousing and parking areas; electric power facilities; pipelines and natural gas lines; and major road facilities in accordance with the provisions of Subsection A.2.7."</p>	Recognition of "utility" uses such as rail lines and Hydro facilities can be supported since they are currently recognized in the Official Plan.	Approval
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3	A.2.10.3.3.(v)	Hamilton Street Railway (H.S.R.)	<p>"The waterfront area should be accessible from all areas of the City, particularly through strong, readily identifiable pedestrian and vehicular links to the Downtown Core.</p>	<p>"Revise Policy A.2.10.3.3(v) by adding undefined words:</p> <p>"The waterfront area should be accessible from all areas of the City, particularly through strong, identifiable pedestrian and vehicular <u>and public transit</u> links to the Downtown Core.</p>	"Emphasize important role of public transit.	Approval
---	----------------	-------------------------------------	---	--	--	----------

4	4.7.2.3	H.S.R.	<p>"The location of a senior citizen centre in the Central Area is encouraged as demand and need increases."</p>	<p>Revise Policy 4.7.2.3. by adding undefined words:</p> <p>"The location of a senior citizen centre in the Central Area is encouraged as demand and need increases.</p> <p>Particular attention should be paid to public transit access when considering various sites."</p>	Emphasize important role of public transit.	Approval
5	4.8.1.	H.S.R.	<p>"The operation and adjustments to the traffic system should be compatible with the safety and convenience of pedestrians, desired land uses, and other goals for the Central Area."</p>	<p>Revise Policy 4.8.1 by adding undefined words:</p> <p>"The operation and adjustments to the traffic system should be compatible with the safety and convenience of pedestrians, desired land uses, <u>public transit</u>, and other goals of the Central Area."</p>	Emphasize important role of public transit.	Approval
6	4.8.3	H.S.R. and Regional Engineering Dept.	<p>"In order to alleviate traffic problems and reroute through vehicular traffic, especially truck traffic, away from the downtown area, there will be a new transportation route which would link Burlington Street West to Highway 403. In this regard, planning for such a route should reflect the overall goals for the Central Area with special consideration given to resolving any potential problems arising from its impact on adjacent residential neighbourhoods, the waterfront, the environment and on traffic flow through the Downtown Core."</p>	<p>(i) Delete "West" after Burlington Street</p> <p>(ii) Revise last sentence to read:</p> <p>"In this regard, the planning for such a route should reflect the overall goals for the Central Area with special consideration problems arising from its impact on adjacent residential neighbourhoods, the waterfront, the environment, <u>existing public transit</u> routes and on traffic flow through the Downtown Core."</p>	<p>i) Clarification</p> <p>ii) Emphasize important role of public transit.</p>	Approval



Regional  
Engineering  
Department.

4

"To preserve and promote the economic health of the downtown core as the Regional economic centre, sufficient parking spaces should be available.

Parking facilities should be improved, both by the City and privately. These spaces should be conveniently located and operated in such a manner as to encourage their use for short term parking needs for shopping, entertainment and business. As such, parking should be provided in accordance with the following provisions:

- (i) parking, loading and docking facilities for new development will be encouraged. Preference should be given to multi-level parking structures provided by the proponent or in co-operation with other developers to support an increased employment and shopping population."

Revise Clause (i) as follows:  
 "(i) parking, loading and docking facilities for new development will be required for developments abutting arterial roads and encouraged elsewhere."

Conformity with  
Hamilton-  
Wentworth Official  
Plan.

Approval

Approval

Emphasize important role of public transit.

Revise Clause (ii) by adding underlined words: "(ii) on-street parking will continue to be reviewed for maximum use of the spaces and compatibility with safety, movement including public transit flows and environment needs."

"To preserve and promote the economic health of the downtown core as the Regional economic centre, sufficient parking spaces should be available. Parking facilities should be improved, both by the City and privately. These spaces should be conveniently located and operated in such a manner as to encourage their use for short term parking needs for shopping, entertainment and business. As such, parking should be provided in accordance with the following provisions:

"(ii) on-street parking will continue to be reviewed for maximum use of the spaces and compatibility with safety, movement and environment needs;"

H.S.R.

4.8.7.(ii)

Ministry of  
Environment (MOE)

"Future land uses and activities in the waterfront area will be determined through consideration of the appropriate planning documents, such as the Waterfront Master Plan and approved Neighbourhood Plans."

6

Add phrase to the end as follows:  
"subject to approvals pursuant to the Environmental Assessment Act and Section 45 of the Environment Act."

Clarification of  
ministry  
requirements.

Approval subject  
to the  
removal of the  
words "Section  
45 of". Given  
the ever-  
changing nature  
of legislation, it  
is appropriate  
not to cite  
specific  
references in the  
Official Plan.  
The section  
references  
become out-  
dated quickly.

Hamilton Harbour  
Commissioners

"Waterfront Recreation uses identified as Shipping and Navigation on Schedule A-1 should be primarily used for these purposes. However, if and when Shipping and Navigation uses are no longer required by the Hamilton Harbour Commissioners, these lands should be developed in accordance with the above policies."

Delete first sentence and replace with the following: "Lands designated Waterfront Recreation and identified as "Shipping and Navigation" on Schedule A-1, should be used for Shipping and Navigation purposes."

Clarification

Approval



11	New Policy	MOE	None.	Insert new Policy 4.10.4 and renumber accordingly: "4.10.4 Council will prohibit the expansion of existing industries and the development of new industries in the Central Area which cannot achieve satisfactory land use compatibility standards".	Strengthen policies relating to compatibility.	Approval
12	2.3.28	Region	None.	Renumber to "2.3.38".	Typo.	Approval
13	Schedule "A" (see Map 1)	Hydro and CN	None.	Designate existing rail line, Stuart Street rail yards and Elgin Street Transformer Station as "Utilities" (also see Modification #2).	Clarification	Approval
14	Schedule "A-1" (see Map 2)	Hydro and CN	None.	Designate existing rail line, Stuart Street rail yards and Elgin Street Transformer Station as "Utilities" (also see Modification #2).	Clarification	Approval

22.

FOR ACTION

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** JULY 21, 1989  
**COMM FILE:**  
**DEPT. FILE:** DA-89-58  
(ZA-89-20)  
Bruleville  
Neighbourhood

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Site Plan Control Application DA-89-58 and modification to Zoning Application ZA-89-20 for a medical office at 836 Upper Wentworth Street.

**RECOMMENDATION:**

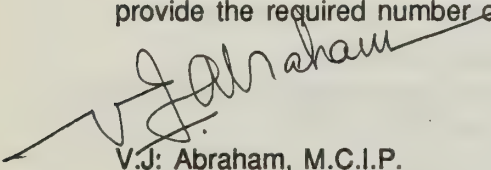
1. That approval be given to Site Plan Control Application DA-89-58 by Dr. Barbara Pinto, owner of lands known as 836 Upper Wentworth Street for a medical office subject to the following:
  - i) modification to the plan in relation to notes, and dimensions as marked in red on the plan;
  - ii) finalization of zoning application ZA-89-20; and further,
2. That in regard to Zoning Application ZA-89-20, the following resolution be forwarded to City Council for approval;

That Section 13 of the Fourteenth Report for 1989 of the Planning and Development Committee to City Council, approved on 1989 May 30th, in regards to Zoning Application ZA-89-20 by Barbara Pinto M.D., owner of lands at 836 Upper Wentworth Street, be amended to include the following:

  - A) notwithstanding Section 18A.(11)(a) & 12(a) the required 1.5 m wide landscape strip along the north and south lot lines adjacent to the parking and maneuvering area will not be provided.
  - B) notwithstanding Section 18A.(12)(c) the required 1.2 m to 2.0 m high visual barrier fence along the south lot line adjacent to the parking and maneuvering area will not be provided.

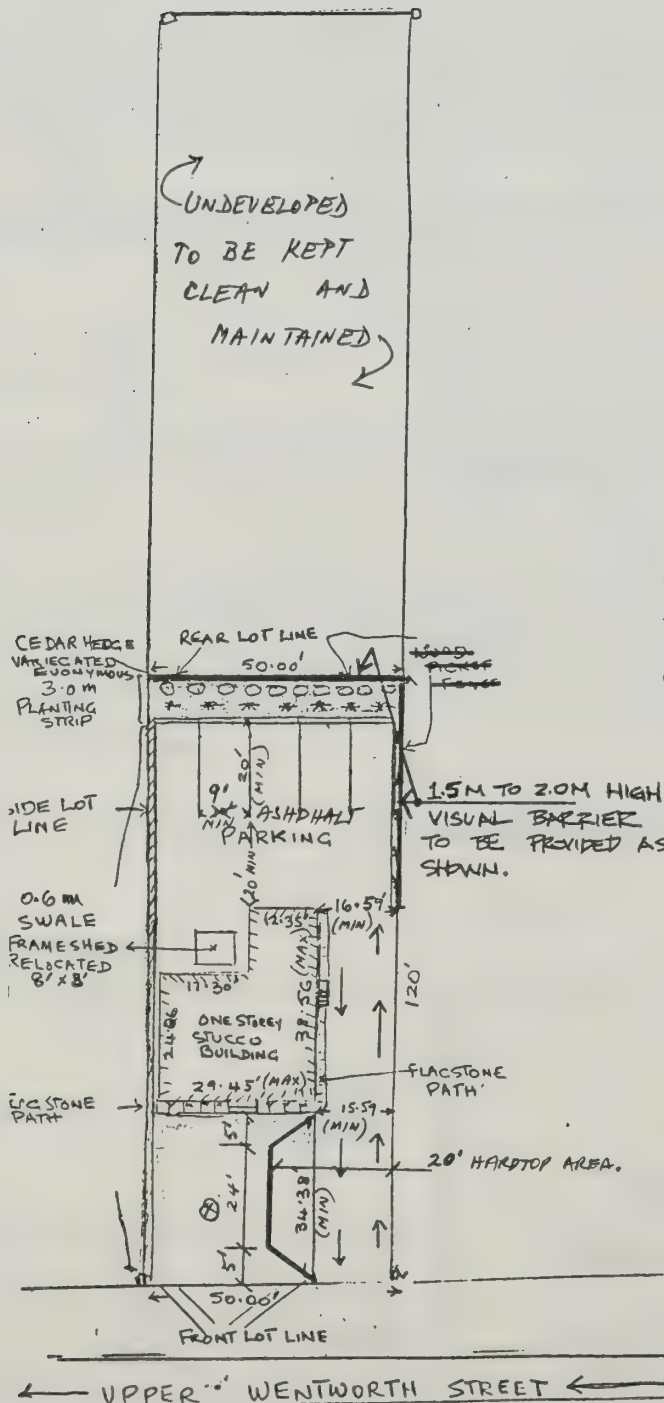
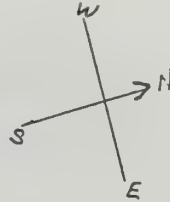
**Explanatory Note**

The amendments are necessary to delete the required 1.5 m wide landscape strip on-site in order to provide the required number of parking spaces within the existing lot width.

  
V.J. Abraham, M.C.I.P.  
Director for Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

SITE PLAN OF  
836 UPPER WENTWORTH ST.  
 PART OF LOT II - CONCESSIONING  
 CITY OF HAMILTON  
 SCALE 1" = 30'



9. undertaking  
 The following undertaking must be placed on all submitted plans to be executed by the owner upon final approvals. The following undertaking must be printed as part of the original drawings at the upper right hand corner of the plan.  
 I, (We) \_\_\_\_\_, the owner(s) of the land, hereby undertake and agree without reservation:  
 (a) to comply with all the content of this plan and drawing and not to vary therefrom;  
 (b) to perform the facilities, works or matters mentioned in Section 40(7)(a) of The Planning Act shown on this plan and drawing; and  
 (c) to maintain to the satisfaction of the City of Hamilton and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 40(7)(a) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.  
 Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 Witness (signature) \_\_\_\_\_ Owner (signature) \_\_\_\_\_ (seal)  
 Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_  
 Address of Witness \_\_\_\_\_

10. The following notes must be shown on the plans designated:

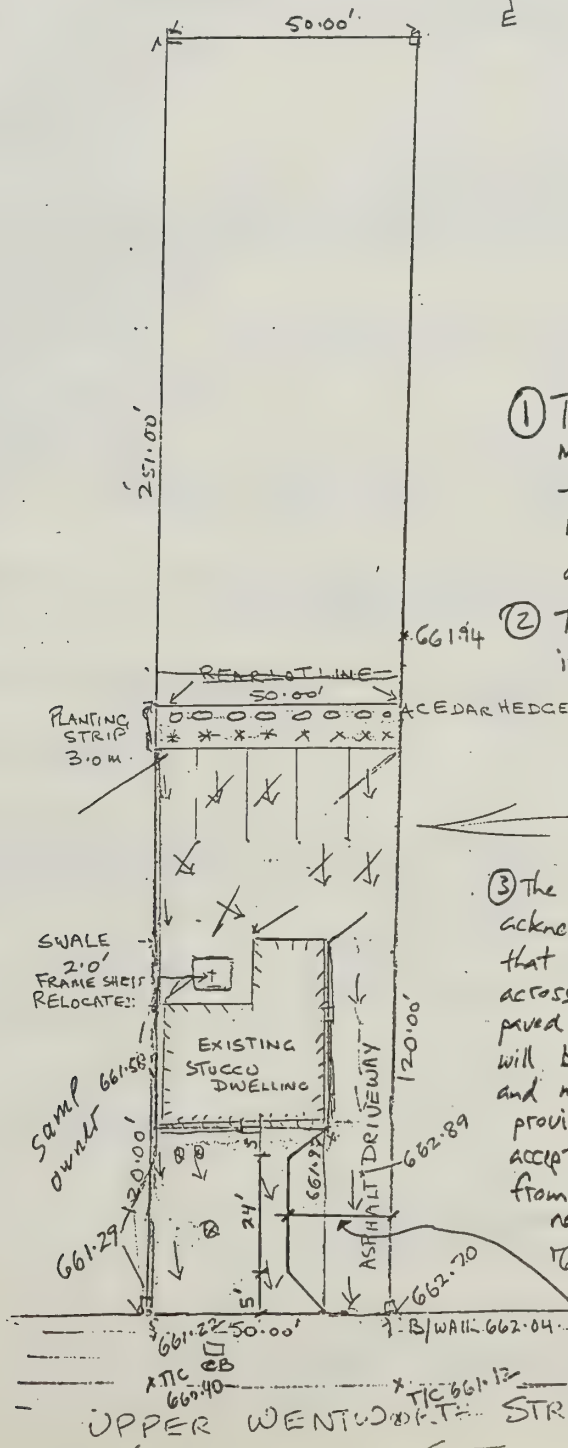
A. NOTES ON SITE PLAN

1. All work involved in the construction, relocation, repair of municipal services for the project shall be to the satisfaction of the Commissioner of Regional Engineering and at the expense of the owner.
2. Fire Route Signs and 3-Way Fire Hydrants shall be established to the satisfaction of the City Fire Department and at the expense of the owner.
3. Main driveway dimensions at the property line boundaries are plus or minus 7.5 m unless otherwise stated.
4. All driveways from property lines for first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
5. The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits normally required to complete a construction project, such as, but not limited to the following:
  - Road cut permits
  - Sewer permits
  - Approach approval permits
  - Relocation of services
  - Committee of Adjustment
  - Encroachment agreements (if required)

NET LOT AREA  $1200 \text{ m}^2$   
 EXISTING BUILDING COVERAGE  $80 \text{ m}^2$   
 GROSS FLOOR AREA  $80 \text{ m}^2$  (APPROX)  
 BUILDING HEIGHT  $3 \text{ m}$  OR  
 ONE STOREY - EXISTING.  
 5 PARKING SPACES PROVIDED.



GRADING PLAN OF  
836 UPPER WENTWORTH ST.  
PART LOT 11 - CONCESSIONING  
CITY OF HAMILTON  
SCALE 1" = 30'



The following undertaking must be placed on all submitted plans - be executed by the owner upon final approvals. The following undertaking must be printed as part of the original drawings at upper right hand corner of the plan.

I, (We) \_\_\_\_\_, the owner(s) of the land, hereby undertake and agree without reservation:

- to comply with all the content of this plan and drawing and not to vary therefrom;
- to perform the facilities, works or matters mentioned in Section 40(7)(a) of The Planning Act shown on this plan and drawing; and
- to maintain to the satisfaction of the City of Hamilton and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 40(7)(a) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

Witness (signature) \_\_\_\_\_ Owner (signature) \_\_\_\_\_ (see)

Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_

Address of Witness \_\_\_\_\_

B. NOTES ON GRADING PLAN

- Any changes in grades and catch basins require the approval of the Commissioner of Regional Engineering.
- All driveways from property lines for first 7.5 m shall be within 5% maximum grade, thereafter, all driveways shall be within 10% maximum grades.
- The approval of this plan does not exempt the owner's bonded contractor from the requirements to obtain the various permits normally required to complete a construction project, such as, but not limited to the following:
  - Road cut permits
  - Approach approval permits
  - Committee of Adjustment
  - Sewer permits
  - Relocation of services
  - Encroachment agreement (if required)

① The owner agrees to maintain existing elevations along the north property line from the line of the front of the existing dwelling to the rear lot line.

② The owner agrees to provide a swale, if necessary, at the back of the proposed planter, linking to the existing swale along the south property line.

③ The owner acknowledges that flows across the paved area will be necessary and must be provided to accept flows from the north.

~~DIRECTIONAL ARROWS SHOW DRAINAGE TO STREET AND CATCH BASIN.~~

2' SWALE ALONG LOT LINE TO SOUTH TO DRAIN TO C.B. IN STREET  
TOTAL PARKING AREA = 180m<sup>2</sup>

ASPHALT DRIVEWAY WILL NOT HAVE A CROWN BUT WILL SLOPE TO THE MIDDLE TO FACILITATE WATER RUN OFF TO CATCH BASIN.

20.0' minimum width hard top area at the same elevation.

UPPER WENTWORTH STREET

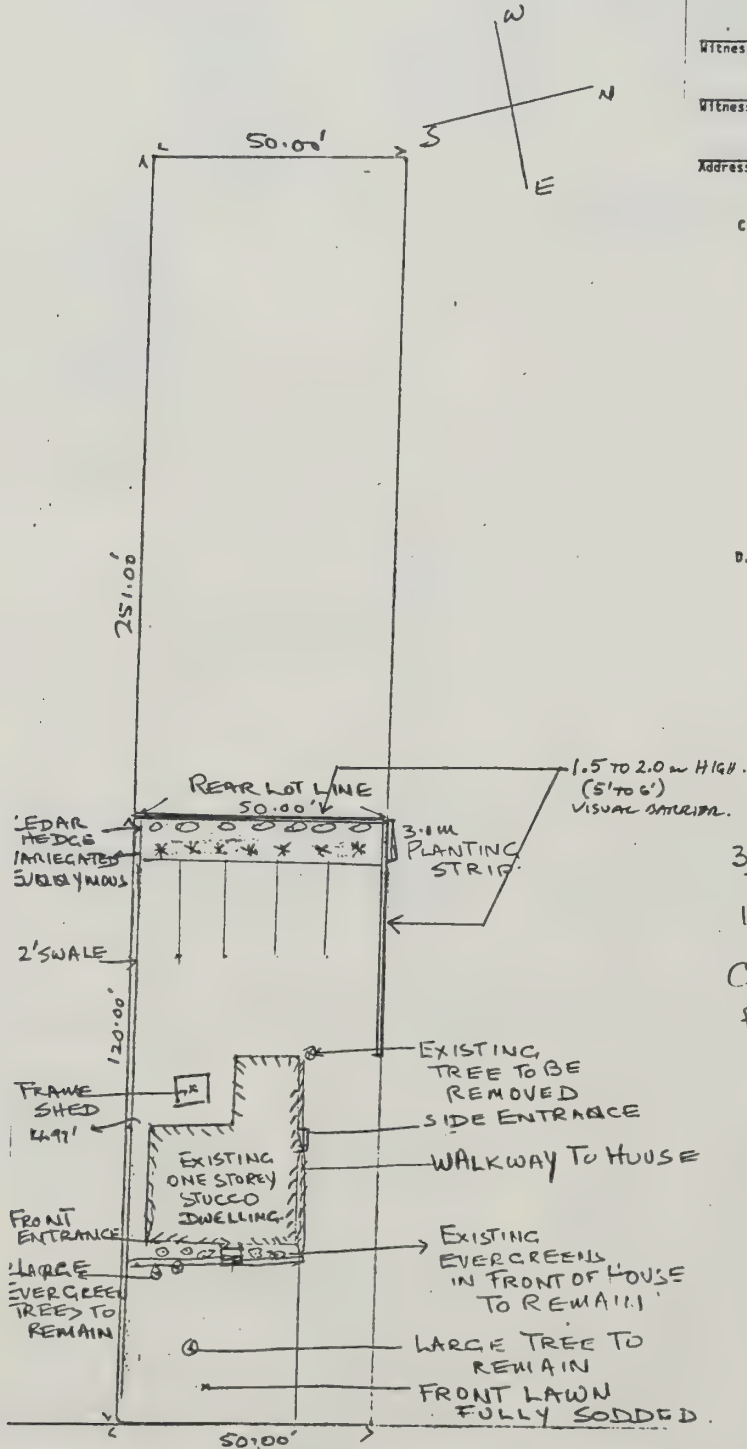
## LANDSCAPE PLAN OF

836 UPPER WENTWORTH ST.

PART OF LOT 11. CONCESSION 6

CITY OF HAMILTON.

SCALE 1" = 30'



UPPER WENTWORTH STREET

2. single coding

The following undertaking must be placed on all submitted plans to be executed by the owner upon final approvals. The following undertaking must be printed as part of the original drawings at the upper right hand corner of the plan.

I, (We) \_\_\_\_\_, the owner(s)  
of the land, hereby undertake and agree without reservation:

- (a) to comply with all the content of this plan and drawing and not to vary therefrom;
- (b) to perform the facilities, works or matters mentioned in Section 40(7)(a) of The Planning Act shown on this plan and drawing; and
- (c) to maintain to the satisfaction of the City of Hamilton and at my (our) sole risk and expense, all of the facilities, works or matters mentioned in Section 40(7)(a) of the said Act, shown in this plan and drawing, including removal of snow from access ramps and driveways, parking and loading areas and walkways.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Witness (signature) \_\_\_\_\_ Owner (signature) \_\_\_\_\_

Witness (print) \_\_\_\_\_ Owner (print) \_\_\_\_\_

Address of Witness

C. NOTES ON LANDSCAPE PLAN

1. Any plant material or "play equipment" substitutions require the approval of the City of Hamilton.
2. Plant material, "play equipment and fencing shall be minimum to be provided by the owner. Any additions must comply to the Zoning By-law.
3. \*PLAY EQUIPMENT TO BE INCLUDED IN NOTES #1 AND #2 IF APPLICABLE TO RESIDENTIAL PROJECTS.
4. Any sodding, planting or work on lands abutting the property from the lot lines to sidewalk and curbing, shall be to the satisfaction of the City and/or Regional Municipality.
5. All landscaping shall be installed prior to the end of the first growing season following occupancy of the development.

D. NOTES ON ELEVATION PLAN

1. Door and window locations, dimensions, details and building materials may vary depending on final building layout, and are shown for information purposes only.

3.0m PLANTING STRIP ALONG  
WESTERLY LOT LINE TO  
CONTAIN CEDAR HEDGING -  
RUS LANDSCAPE BOULDERS  
AND VARIEGATED EVONYMOUS

8 CEDAR AT 3' TO 4' HIGH.

7 EUONYMUS AT 15" TO 24" HIGH.

FOR ACTION

23.

**TO:** SUSAN REEDER, SECRETARY  
OF THE PLANNING AND  
DEVELOPMENT COMMITTEE

**DATE:** August 8, 1989  
**COMM FILE:**  
**DEPT. FILE:** DA-89-41  
(ZA-88-26)  
Ainsle Wood East  
Neighbourhood

**FROM:** JIM THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT**

Site Plan Control Application for a 143 unit senior citizens retirement home for the lands at 1800 Main Street West.

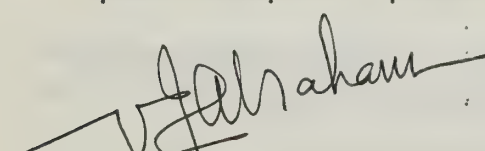
**Recommendation**


That approval be given to Site Plan Control Application DA-89-41 by Cascade Hamilton-Waterford General Partner Inc., owner of lands at 1800 Main Street West for a 143 unit senior citizens retirement home subject to the following:

- a) modifications to the plans related to grades, dimensions and notes as marked in red on the plans;
- b) modification to the layout, grades and landscaping to the driveway area at the east and west ends of the building as marked in red on the plans;
- c) finalization of the grading plans to the satisfaction of the Hamilton Region Conservation Authority, and the Commissioner of the Hamilton-Wentworth Engineering Department; and,
- d) removal of the holding provision "H" from the By-law to permit the development.

**EXPLANATORY NOTE**

The property is zoned "E-H"/S-1113a and "A-H"/S-1113a. The "H" (holding) symbol requires that a Site Plan be approved, and an amending by-law be processed to remove the "H" (Holding) designation, to permit development to proceed.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department



## **BACKGROUND**

Plans have been submitted for a 143 unit senior citizens retirement home to be constructed on the north side of Main Street West, east of Whitney Avenue. The building, to be of a stucco finish with metal panels on the top floor, will be four storeys high along Main Street West and five storeys high at the rear where the land slopes downward toward the valley.

The lower level will accommodate parking for 66 parking spaces with an additional 10 surface parking spaces at the west end of the site. Two loading spaces are also located at the west end of the building.

The site is landscaped throughout the property with a special outdoor area and gazebo structure at the rear of the building, and a refurbished tennis court at the rear of the property.

## **COMMENTS RECEIVED**

The Building Department has advised that they have no comment.

The Traffic Department has advised that concerns regarding garbage collection, truck manoeuvring and main entrance driveway layout (see attached letter). Through various discussions and revisions, with the architect, the plan has been modified to the designs as marked in red on the plans.

The Hamilton-Wentworth Engineering Department has advised that clarification is required for grades in the area of the gazebo and pathways.

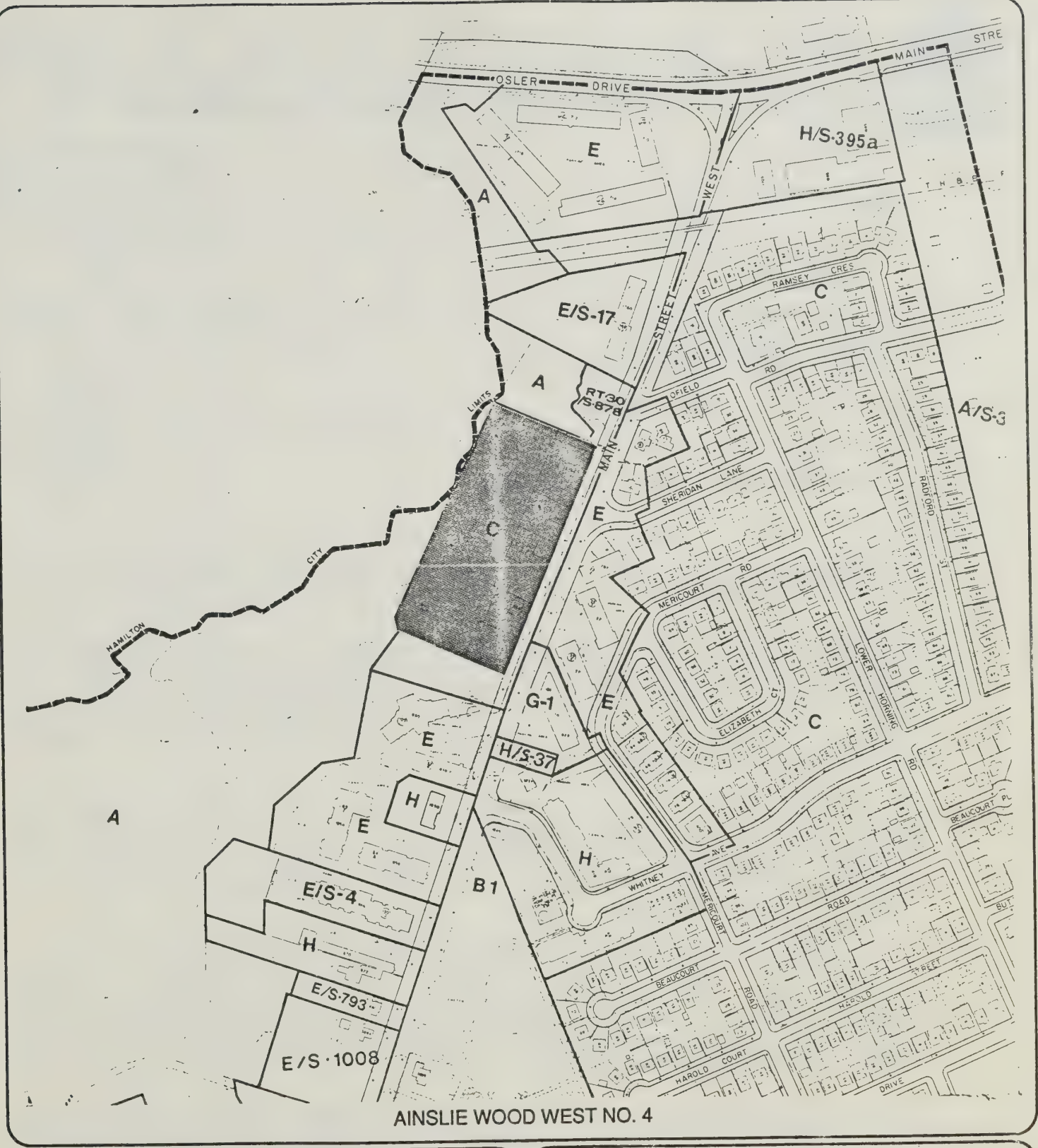
The Hamilton Region Conservation Authority has verbally advised that the various drainage cuts through the valley slope are subject to approvals and permits through the Hamilton Region Conservation Authority. Revised grades in the redesigned ramp and parking area should be resubmitted to the satisfaction of the Conservation Authority.

## **COMMENTS**

Modifications are required to the plans related to dimensions, notes, revised ramp design, and revised parking/loading area as marked in red on the plans.

The landscape plan should be modified to clearly indicate by "key codes" the location of those materials provided in the plant list.

The site plan has been modified as marked in red on the plan related to revised driveway and parking areas at both ends of the building. The landscape and grading plans should also be amended accordingly.



AINSLIE WOOD WEST NO. 4

City of Hamilton  
 Plan Showing  
 Lands Subject to  
**Site Plan Control**  
**Application DA-89-41**  
 Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

<p>Legend</p> <div style="display: flex; align-items: center;"> <div style="width: 30px; height: 15px; background-color: #cccccc; margin-right: 5px;"></div> <p>Site of the Application</p> </div>		
<p>North</p>	<p>Scale 1:5000</p>	<p>Reference File No. DA-89-41</p>
	<p>Date APRIL 1989</p>	<p>Drawn By F.V.</p>







Should you require any additional information with respect to these comments,  
please contact Wendy Crevier at 526-3909.

Yours truly,

A handwritten signature in dark ink, appearing to be 'M. F. Main', written in a cursive style.

*for* M. F. Main, P. Eng.  
Director of Traffic Services

RK/WC/dd  
attachs.



## FOR ACTION

24.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** AUGUST 8, 1989  
**COMM FILE:**  
**DEPT FILE:** DA-89-31  
(ZA-88-90)  
DURAND  
NEIGHBOURHOOD

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Site Plan Control Application DA-89-31 and modification to Zoning Application ZA-88-90 for renovations to the existing building at 99 Duke Street.

**RECOMMENDATION**

1. That approval be given to Site Plan Control Application DA-89-31 by Louis and Judy Levy, owners of lands known as 99 Duke Street, for renovations to the existing building and property subject to the following:
  - i) modification to the plans in relation to notes, dimensions and parking as marked in red on the plans;
  - ii) submission of a revised site plan and grading plan to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department;
  - iii) finalization of the amending By-law for the proposed development incorporating the approvals of Zoning Application ZA-88-90;and further;
2. That in regard to Zoning Application ZA-88-90 the following resolution be forwarded to City Council for approval;

That Section 14 of the First Report for 1989 of the Planning and Development Committee to City Council, approved on 1988 December 13th, as amended by Council approval on 1989 January 10, in regard to Zoning Application ZA-88-90 by Louis Levy owner of lands located at Nos. 99 Duke Street and 191 Bay Street South be amended as follows:



a) That the following be added as:

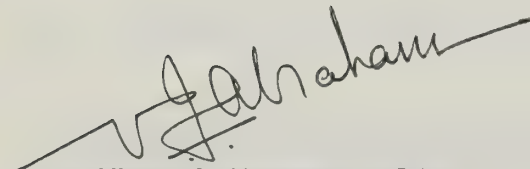
14(b)(ii)(2) Notwithstanding subsection 4.(c) of Table 1 of Section 18A a minimum of 5 parking spaces shall be required.

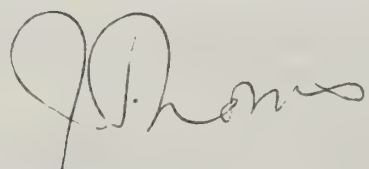
b) That the following be added to 14(b):

- (3) Notwithstanding Section 18A.1(d) no loading space shall be required.
- (4) Notwithstanding Sections 18A.(11), (12)(a) and (14) one (1) parallel parking space shall be permitted within the required front yard adjacent to the residential district to the east;
- (5) Notwithstanding Section 18A.(1)(f) the aisle width for the designated parallel parking spaces shall be 3.0 m instead of the required 3.7 m minimum; and,
- (6) Notwithstanding Section 18A.(11)(b) one (1) parallel parking space shall be permitted adjacent to the southerly and westerly lot lines.

**EXPLANATORY NOTE**

The amendments are necessary in order to provide a minimum of five (5) legal size parking spaces on the lot. Due to site limitations and existing conditions, a portion of the parking spaces will infringe upon required yards as well as eliminate a required planting strip.

  
Victor J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development  
Department

## **BACKGROUND**

Plans have been submitted for renovations to the existing two storey heritage building at 99 Duke Street to accommodate accountant and lawyer offices. The exterior of the 1872 Italianate structure will virtually remain the same, except for the removal of the front and rear porch, and the addition of a new front porch, Italianate in design and a new entrance door. The renovations will provide a gross floor area of 484.54 m<sup>2</sup>, and 5 parking spaces at the rear area of the building. Also, a landscape treatment around the entire building has been proposed as part of the renovations.

## **COMMENTS RECEIVED**

The Hamilton-Wentworth Engineering Department has advised that the site and grading plans require clarification and modification. Revised site and grading plans should therefore be submitted to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department. Furthermore, any parking or paving within the road allowance will require a boulevard parking agreement with the Region.

The Building Department has advised that Zoning Application ZA-88-90 is pending final approval to permit accountants and lawyers offices. This proposal does not meet all the necessary zoning by-law requirements. Thus, several variances to the by-law as described in the attached comments are required.

The Traffic Department has advised that proposed parking spaces number 6 and 7 will require a separate application to the Traffic Department for approval. Furthermore, these spaces will not be approved as shown on the plan, but should be placed parallel to Bay Street.

## **COMMENTS**

Various modifications are required to the plan in relation to notes, dimensions and parking layout as marked in red on the plan.

This department supports the necessary modifications to the by-law since this proposal provides as many parking space on site as possible, considering the site limitations and the existing conditions. The By-law should be amended to indicate five (5) parking spaces which can be accommodated for the development.

Since, the By-law to permit the development of the property has not been finalized, the amendments should be forwarded to City Council and incorporated as part of the proposed by-law for the property.

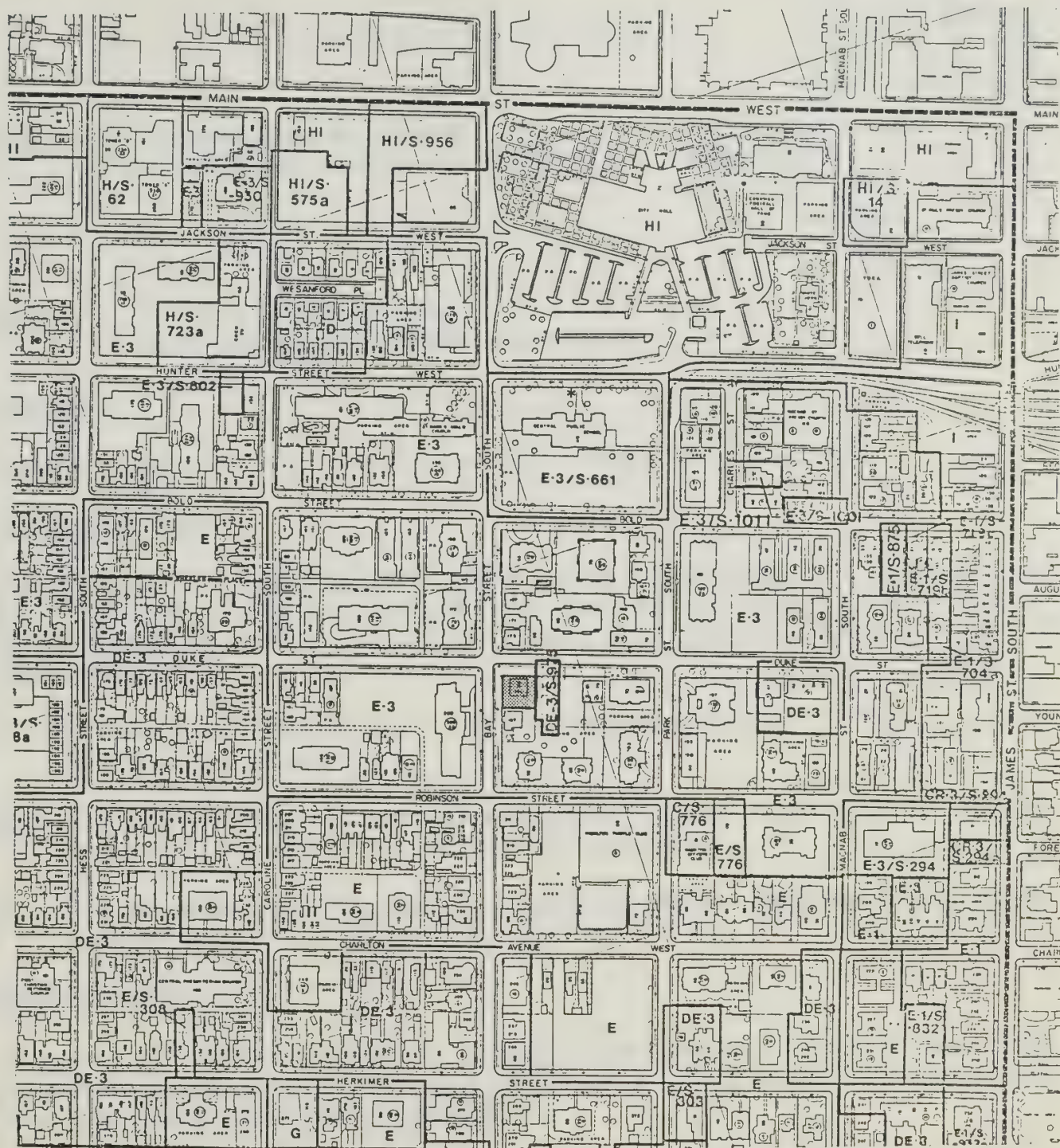
JL/ma  
WPDA8931

## DEPARTMENT OF BUILDINGS

[illegible]

1. Zoning Application 88-90 is pending final by-law approval to permit accountants and lawyers offices.
2. Based on the gross floor area, the proposed use requires two parking spaces and one (9.0m x 3.7m x 4.3m) loading space.
3. No part of a parking area is permitted to be located in the required front yard.
4. All parallel parking spaces shall be at least 2.5m x 6.7m with a minimum manoeuvring space aisle width of 3.7m.
5. The two parking spaces partially located on the road allowance requires an Encroachment Agreement with the Regional Engineering Department.
6. A portion of the parking area is closer to the street line than the minimum 3.0m front yard depth for the adjoining "E-3" zoning district, and the 4.5m front yard depth for the adjoining "DE-3" zoning district, and is also within 3.0m of the adjoining residential districts.
7. A visual barrier shall be provided along the side lot line adjoining the residential district to the east.
8. The 1.5m area between the parking area and the adjoining residential district shall be landscaped with a planting strip.





41 DURAND

City of Hamilton  
Plan Showing  
Lands Subject to  
**Site Plan Control**  
**Application DA-89-31**

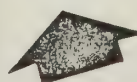
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Site of the Application

North



Scale  
1:5000

Date  
June, 1989

Reference File No.  
DA-89-31

Drawn By  
G.G.



# FOR ACTION

25.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** JULY 31, 1989

**COMM FILE:**

**DEPT FILE:** ZA-89-35

Sheldon

Neighbourhood

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Request for a change in zoning - property located at No. 173 Stone Church Road West.

**RECOMMENDATION:**

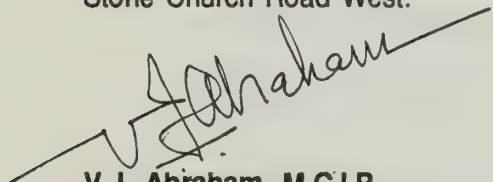
That approval be given to Zoning Application 89-35 Carmelo Chiarelli, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at No. 173 Stone Church Road West, as shown on the attached map marked as APPENDIX "A", on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council; and,
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**EXPLANATORY NOTE**

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 173 Stone Church Road West, as shown on the attached map marked as Appendix "A".

The effect of the By-law is to create a building lot for a single-family detached dwelling, fronting onto Stone Church Road West.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner,  
Planning and Development Department



## FINANCIAL IMPLICATIONS

N/A.

## BACKGROUND

### ● Proposal

The purpose of the proposed change in zoning is to create a building lot for a single-family detached dwelling, fronting onto Stone Church Road West.

### ● Land Severance Application

The Regional Land Division Committee at its meeting held on November 8, 1988, approved Land Severance Application H-178-88 to convey a vacant "L" shaped parcel of land having 49' of lot frontage on Stone Church Road West and a lot area of 16,365 sq.ft. for residential purposes, and to retain a lot measuring 51' x 130' occupied by an existing single-family dwelling. Approval of the application was conditional on, among other matters, the final approval of any necessary change in zoning.

## APPLICANT

Carmelo Chiarelli, owner.

## LOT SIZE AND AREA

- 30.48 m (100.0 ft.) of lot frontage on Stone Church Road West;
- 70.10 m (230.0 ft.) of lot depth; and,
- 2,135.77 m<sup>2</sup> (22,990 sq.ft.) of lot area.

## LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	single-family dwelling	"AA" (Agricultural) District
<u>Surrounding Lands</u>		
to the north	single-family dwellings	"C" (Urban Protected Residential, etc.) District and "AA" (Agricultural) District

to the south	vacant	"AA" (Agricultural) District
to the east	single-family dwelling	"AA" (Agricultural) District
to the west	single-family dwellings	"AA" (Agricultural) District and "B" (Suburban Agriculture and Residential, etc.) District

#### **OFFICIAL PLAN**

Designated "Residential" on Schedule "A" - Land Use Concept Plan, the proposal complies.

#### **NEIGHBOURHOOD PLAN**

A neighbourhood plan is not available for the Sheldon Neighbourhood.

#### **COMMENTS RECEIVED**

- The Building Department, Traffic Department, Hamilton Region Conservation Authority and The Local Architecture Conservation Advisory Committee Staff have no comments of objections.
- The Hamilton-Wentworth Engineering Department has advised that:

"...public watermains as well as storm and sanitary sewers are available to service the subject lands.

In conjunction with this application, the applicant has also submitted Land Severance Application H-178-88.

As a condition of severance approval, the applicant must dedicate sufficient lands to the Region for road widening purposes to establish the property line 15.24 m (50 feet) from the centreline of the original Stone Church Road.

Previous comments on neighbourhood planning were made at the Land Severance stage. The preliminary neighbourhood plan indicates that this property will not be required for internal neighbourhood street purposes".

**COMMENTS**

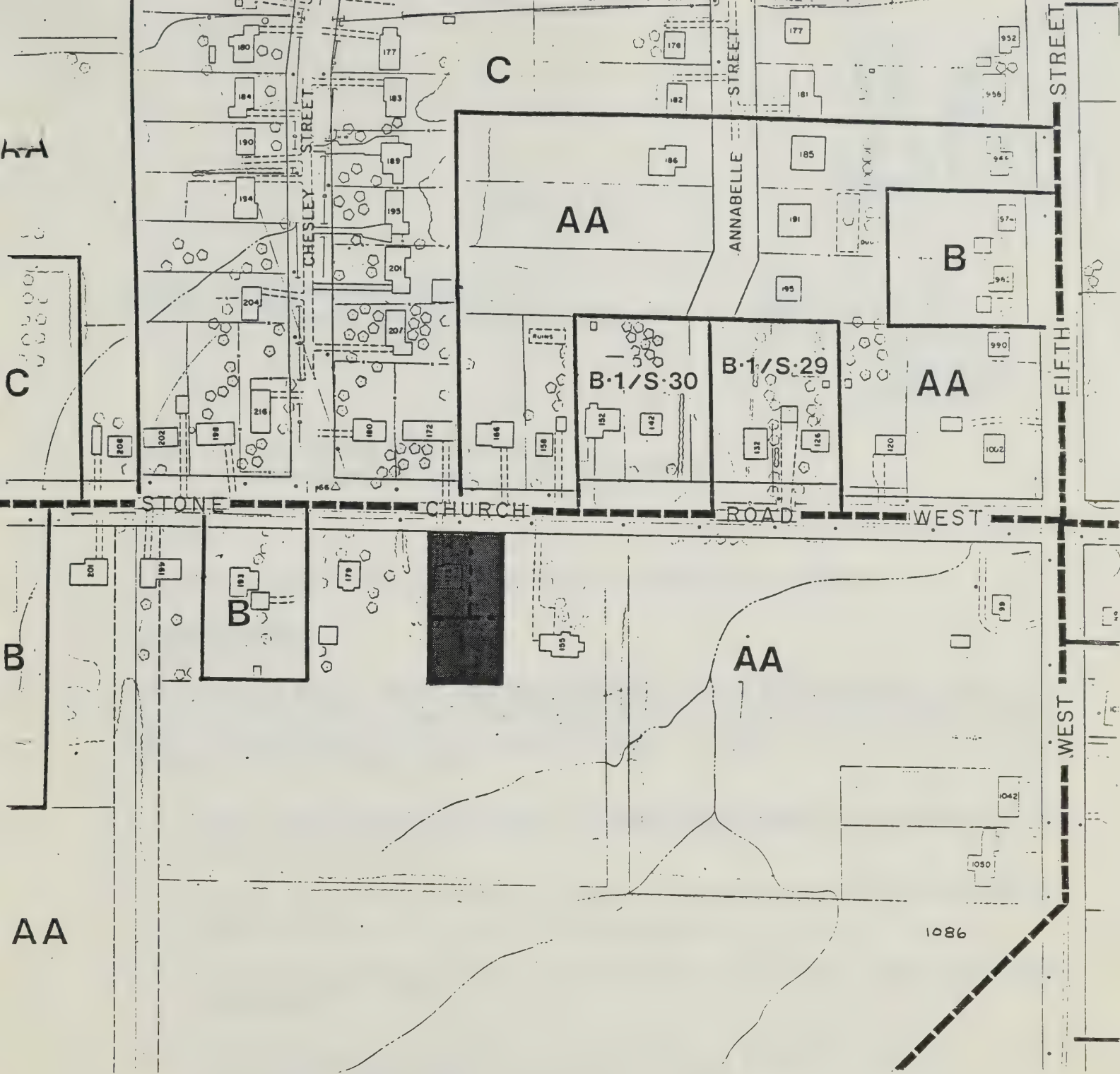
1. The proposal complies with the intent of the Official Plan.
2. The application has merit and can be supported for the following reasons:
  - it implements the intent of the Official Plan;
  - it would be compatible with existing development in this area comprising of single-family development;
  - it represents an "infill" situation and would not interfere with the orderly development of the neighbourhood; and,
  - the proposed lot would meet the minimum lot width and area requirements of the requested "C" zoning district.

**CONCLUSION**

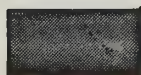
On the basis of the foregoing, the application can be supported.

GAW/ma  
WPZA8935





### LEGEND



SITE OF THE APPLICATION





26.

## FOR ACTION

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

DATE: JULY 27, 1989  
COMM FILE:  
DEPT FILE: ZA-89-43  
Templemead  
Neighbourhood

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Request for a change in zoning - property located at No. 1423 Upper Gage Avenue.

**RECOMMENDATION**

That approval be given to Zoning Application 89-43 Runad Homes Limited, prospective owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, for property located at No. 1423 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "A", on the following basis:

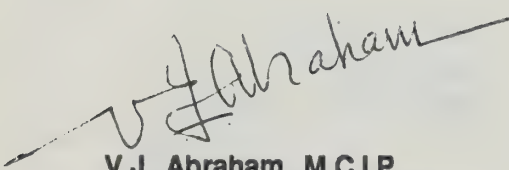
- i) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District;
- ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49C for presentation to City Council;
- iii) The the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- iv) That the Templemead Neighbourhood Plan be amended by redesignating the subject lands from "LOW DENSITY APARTMENTS" to "ATTACHED HOUSING".

**EXPLANATORY NOTE**

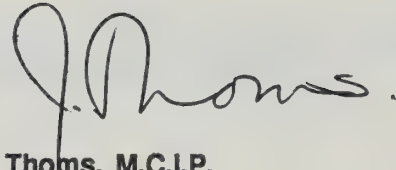
The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District for lands located at No. 1423 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit development of the subject property for six (6) street townhouse dwellings.





V.J. Abraham, M.C.I.P.  
Director of Local Planning



J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

**FINANCIAL IMPLICATIONS**

N/A

**BACKGROUND**

It is the applicants intention to redevelop the subject lands for 6 street-townhouse dwellings having a maximum height of three stories.

**APPLICANT**

Runad Homes Limited, prospective owner.

**LOT SIZE AND AREA**

- 30.48 m (100.0 ft.) of lot frontage on Upper Gage Avenue;
- 48.29 m (158.43 ft.) of lot frontage on Anna Capri Drive; and,
- 1,469.51 m<sup>2</sup> (15,818.22 sq.ft.) of lot area.

**LAND USE AND ZONING**

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	single-family dwelling	"C" (Urban Protected Residential, etc.) District

### Surrounding Lands

to the north	vacant	"C" (Urban Protected Residential, etc.) District (recently rezoned from "C" to "D" to permit two, two-family dwellings, subject to By-law approval)
to the south	townhouses	"RT-20" (Townhouse and Maisonette) District
to the east and west	single-family dwellings	"C" (Urban Protected Residential, etc.) District

### OFFICIAL PLAN

Designated "RESIDENTIAL", the proposal complies.

### NEIGHBOURHOOD PLAN

Designated for "LOW DENSITY APARTMENTS" on the approved Templemead Neighbourhood Plan, the proposal does not comply with the intent of the Plan. Approval of the application would require redesignation to "ATTACHED HOUSING".

### COMMENTS RECEIVED

- The Building Department, Hamilton Region Conservation Authority, and The Local Architectural Conservation Advisory Committee Staff have no comments or objections.
- The Traffic Department has advised that:  
  
"...the zoning application is acceptable on the condition that the street townhouses have access from Anna Capri Drive".
- The Hamilton-Wentworth Engineering Department has advised that:  
  
"...public watermains as well as separate storm and sanitary sewers are available to service the subject lands.

The designated road allowance width of Upper Gage Avenue is 36.58 m (120 feet). In accordance with this designation we recommend that sufficient lands be dedicated to the Region for road widening purposes.

The preliminary site plan submitted with this application should be revised to reflect the correct widening dimensions.

As part of the future site plan or as part of the severance, if the intent is to have individual units fronting on Anna Capri, the road widenings and the removal of the existing reserve can be dealt with".

### **COMMENTS**

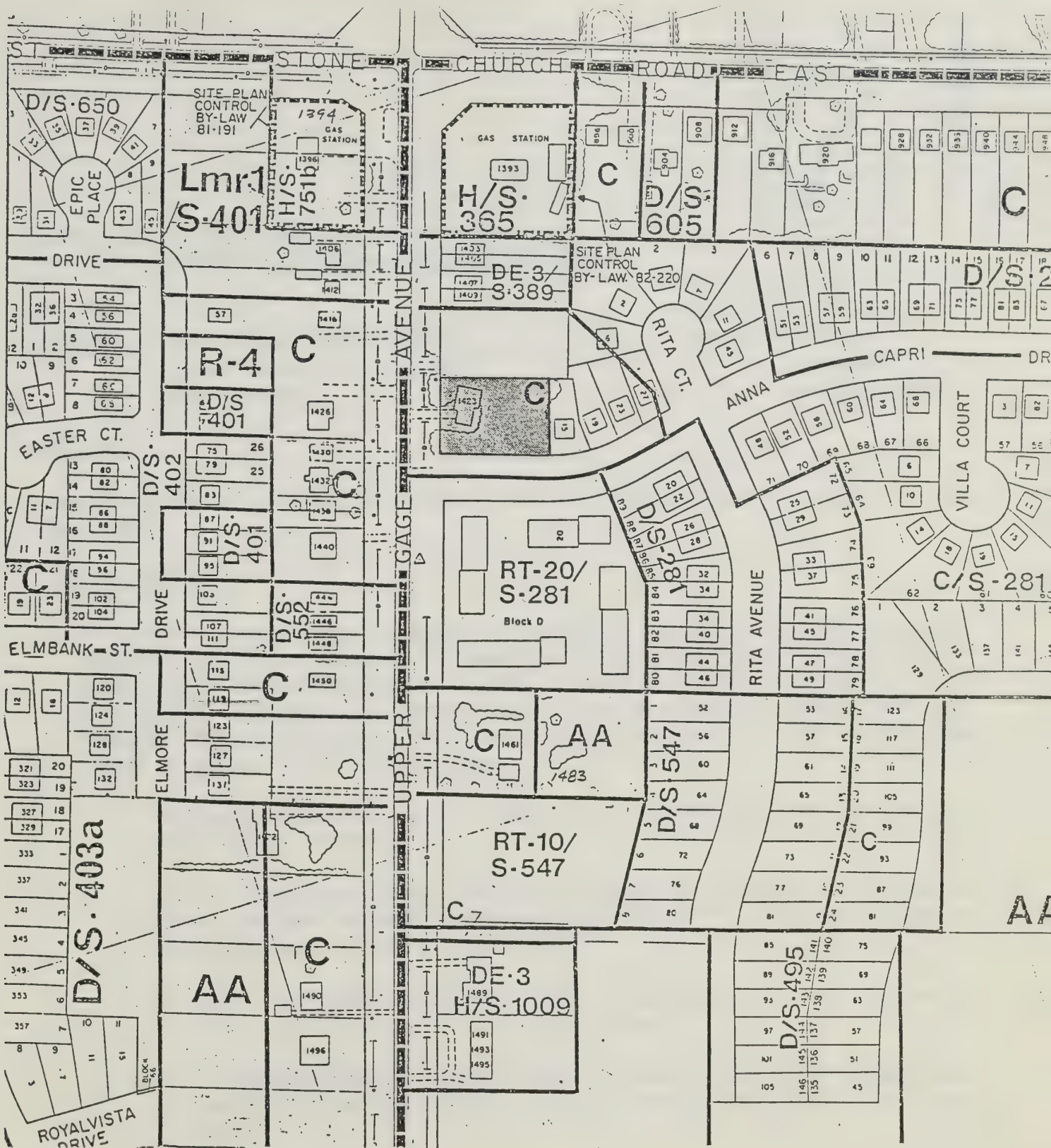
1. The proposal complies with the intent of the Official Plan.
2. The proposal would require an amendment to the approved Templemead Neighbourhood Plan to redesignate the subject lands from "LOW DENSITY APARTMENTS" to "ATTACHED HOUSING".
3. The proposal has merit and can be supported for the following reasons:
  - it implements the residential policies of the Official Plan by providing a variety of housing styles, types and densities as well as a desired mix of housing where practicable;
  - it would be compatible with existing and future intended uses in the surrounding area; and,
  - the subject lands are currently designated for LOW DENSITY APARTMENTS in the approved Templemead Neighbourhood Plan which, under the appropriate zoning district, would also provide for townhouse type development.
4. It should be noted, that the requested "RT-30" District would be subject to Site Plan Control By-law 79-275 as amended by By-law 87-223. In this regard, the concerns of the Traffic Department with respect to prohibiting access onto Upper Gage Avenue and other matters such as parking, grading, road widenings, landscaping, etc., will be addressed at the site plan control stage of development.

### **CONCLUSIONS**

On the basis of the foregoing, the proposal can be supported.

GAW/ma  
WPZA8943

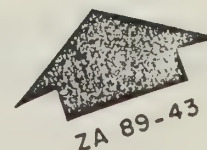


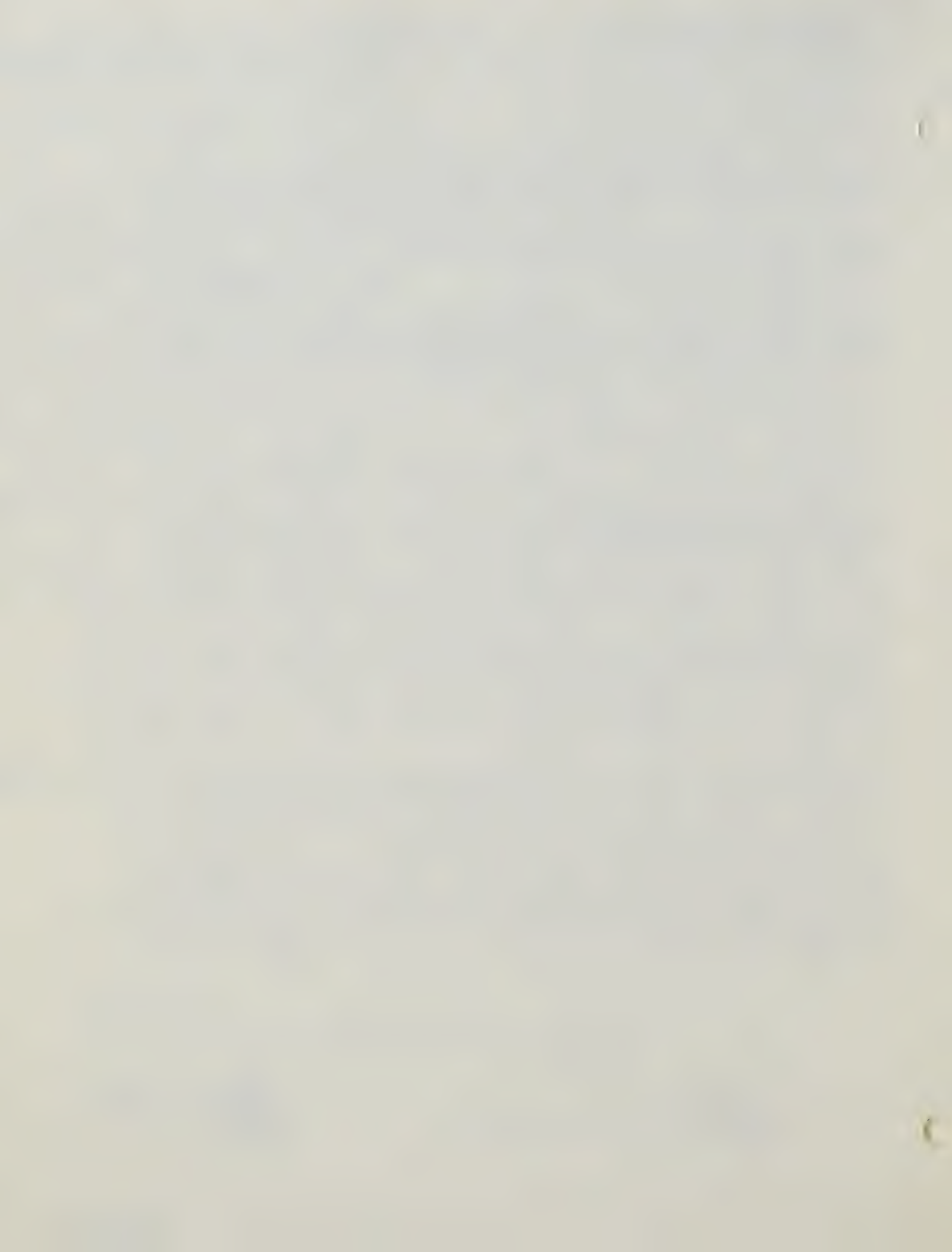


# LEGEND



SITE OF THE APPLICATION





## FOR ACTION

27.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** 1989 AUGUST 08  
**COMM FILE:**  
**DEPT FILE:** ZA-89-49  
LANSDALE  
NEIGHBOURHOOD

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT  
DEPARTMENT

**SUBJECT:**

Request for a change and modification in zoning - Nos. 16-20 Wellington Street North and 15-27 West Avenue North.

**RECOMMENDATION**

1. That approval be given to Zoning Application 89-49, Trillium Funeral Services Corporation, owner, requesting a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "G-3" (Public Parking Lots) District, modified for Block "1", and a modification to the "H" (Community Shopping and Commercial, etc.) District for Blocks "2" and "3" for property located at Nos. 16-20 Wellington Street North and Nos. 15-27 West Avenue North, as shown on the attached map marked as Appendix "A" on the following basis:
  - i) That Block "1" be rezoned from "E" (Multiple Dwelling, Lodges, Clubs, etc.) District to "G-3" (Public Parking Lots) District;
  - ii) That the "G-3" (Public Parking Lots) District provisions as contained in Section 13C of Zoning By-law 6593 applicable to the lands shown as Block "1", be modified to include the following variances as special requirements:
    - a) That notwithstanding Section 13C, a three (3) car garage to be used in conjunction with a funeral home on Block "3" shall be permitted;
    - b) That notwithstanding subsection 13C(3)(i) a minimum 3.0 m (10 foot) landscaped area shall be provided and maintained along the easterly lot line adjoining West Avenue North;
  - iii) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No. 6593 applicable to the lands shown as Block "2", be modified to provide for the following variance as a special requirement:
    - a) That a minimum 3.0 m (10 foot) wide landscaped area, except for any access driveway, shall be provided and maintained along the easterly lot line adjoining West Avenue North;



- iv) That the "H" (Community Shopping and Commercial, etc.) District provisions as contained in Section 14 of Zoning By-law No. 6593 applicable to the lands shown as Block "3", be modified to provide for the following variances as special requirements:
    - a) That notwithstanding subsection 14.(1) a funeral home shall be permitted;
    - b) That notwithstanding subsection 14.3)(i) a minimum front yard depth of 1.7 m (5.5 feet) shall be provided and maintained;
    - c) That notwithstanding subsection 14.(3)(i), as amended by b) above, a sign shall be permitted in the required front yard;
    - d) That subsection 14.(3)(iii)(c) shall not apply;
    - e) That notwithstanding subsection 18A.(9) the required parking space, loading space, and manoeuvring space for the use in a) above, may be provided and maintained on the lands shown as Blocks "1" and "2" on APPENDIX "A";
  - v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S- , and that the subject lands on Zoning District Map E-13 be notated S- ;
  - vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13 for presentation to City Council;
  - vii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - viii) That the Landsdale Neighbourhood Plan be amended by redesignating the lands shown as Block "1" from "MEDIUM DENSITY APARTMENTS" to "COMMERCIAL".
2. That By-law No. 79-275 as amended by By-law No. 87-223 establishing Site Plan Control, be amended by adding the lands shown as Blocks "2" and "3" on APPENDIX "A" to Schedule "A".
  3. That the amending By-law not be passed by Council until the applicant has applied for and received approval of having the alleyway adjoining Block "3" between Wellington Street North and the north-south alleyway, designated as a one-way alleyway eastbound.

#### **EXPLANATORY NOTE**

The purpose of the By-law is to provide for a change and modification in zoning for properties at Nos. 15-27 West Avenue North and Nos. 16-20 Wellington Street North, as shown on the attached map marked as APPENDIX "A", on the following basis:

- Block "1" - Change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "G-3" (Public Parking Lots) District, modified.

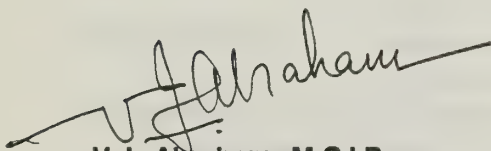
- Blocks 2" - Modification to the "H" (Community Shopping and Commercial, etc.) District. and "3"

The effect of the By-law is to permit the replacement of the existing Robinson Funeral Home located on Block "2", with a new funeral home on Block "3".

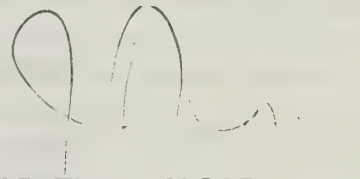
The required parking, loading and manoeuvring space for the new funeral home will be located on Blocks "1" and "2".

In addition, the By-law provides for the following variances as special conditions:

- to require a minimum front yard depth of 1.7 m (5.5 feet) for the new funeral home adjacent to Wellington Street North (Block "3"), whereas 12.0 m (39.37 feet) is required;
- to permit a sign to be located in the required front yard on Block "3";
- to eliminate the minimum required rear yard depth of 4.5 m (14.76 feet) for the new funeral home on Block "3";
- to permit a three (3) car garage on Block "1", which is to be used in conjunction with the funeral home on Block "3";
- to require a minimum 3.0 m (10 foot) landscaped area to be provided and maintained along the easterly lot line of Block "1" adjacent to West Avenue North, whereas 4.5 m (14.76 feet) is required; and,
- to require a minimum 3.0 m (10 foot) wide landscaped area to be provided and maintained along the easterly lot line of Block "2" adjacent to West Avenue North, except for any access driveway.



**V.J. Abraham, M.C.I.P.**  
Director of Local Planning



**J.D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department

#### **FINANCIAL IMPLICATIONS**

N/A

## **BACKGROUND**

The applicant proposes to construct a new two storey funeral home having a total gross floor area of 1,640 m<sup>2</sup> (17,649 sq. ft.) on Block "3", and to demolish the existing funeral home (Robinson Funeral Home) on Block "2". A total of 43 parking spaces and 1 loading space are to be provided on Blocks "1" and "2". An accessory 3 car garage is to be located on Block "1". A 1.5 m (5 foot) and 3.0 m (10 foot) wide landscaped areas are to be provided along the northerly lot line of Block "1", and the easterly lot line of Blocks "1" and "2", respectively (see Appendix "B").

## **APPLICANT**

Trillium Funeral Services Corporation, owner.

## **LOT SIZE AND AREA**

The subject property is an "L" shaped parcel of land having approximately:

- 16.9 m (55.5 ft.) and 50.7 m (166.5 ft.) of frontage along Wellington Street North and West Avenue North, respectively;
- 74.0 (243 ft.) of lot depth; and,
- 2,499 m<sup>2</sup> (26,900 sq.ft.) of lot area.

## **LAND USE AND ZONING**

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	Funeral Home Block "2"; Parking lot Block "3" and part of Block "1"; and residential part of Block "1"	"H" (Community Shopping and Commercial, etc.) District; and, "E" (Multiple Dwellings, Lodges, Clubs, etc.) District
<u>Surrounding Lands</u>		
to the north	Single family dwelling	"H" (Community Shopping and Commercial, etc.) District



to the south	Park	"A" (Conservation, Open Space, Park and Recreation) District
to the east	Lodging house; single family dwelling; and apartments	"H" (Community Shopping and Commercial, etc.) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District
to the west	warehouse	"H" (Community Shopping and Commercial, etc.) District

### **OFFICIAL PLAN**

The subject lands are designated "CENTRAL POLICY AREA" on SCHEDULE "A" - Land Use Concept and identified as "SPECIAL POLICY AREA 3" on SCHEDULE "B". Accordingly, the following policies will apply:

A.2.8.1 To promote the CENTRAL POLICY AREA as a multi-use node for both the City and the Region, a wide range of uses will be permitted where compatibility among adjacent uses can be achieved. The primary uses permitted in the CENTRAL POLICY AREA, as shown on Schedule "A", will be for the following uses:

- i) Commercial Uses such as, but not limited to, retail department stores; food, specialty and general merchandising establishments; personal services; head and branch offices and public administration offices; hotels; mixed commercial policies set out in Subsection A.2.2 of this Plan;

In addition, it is the intent of SPECIAL POLICY AREA "3" to provide and protect housing in close proximity to the downtown. However, given that the proposal represents a redevelopment of an existing commercial establishment in an area that is predominantly characterised by mixed uses, the proposal does not conflict with the intent of the SPECIAL POLICY AREA 3.

The proposal complies with the intent of the CENTRAL POLICY AREA designation of the Official Plan.

## NEIGHBOURHOOD PLAN

The subject lands are designated "COMMERCIAL" (Blocks "2" and "3"), and "MEDIUM DENSITY APARTMENTS" (Block "1") in the approved Lansdale Neighbourhood Plan. The proposal does not comply and, if approved, would require a redesignation of Block "1" to "COMMERCIAL".

## RESULTS OF CIRCULARIZATION

- The following agencies have no comments or objection:

- LACAC;
- Hamilton Region Conservation Authority.

- The Hamilton-Wentworth Engineering Department has advised as follows:

"Be advised that public watermains as well as sanitary and storm sewers are available to service the subject land.

The alleyways to the south and east of the proposed building are public unassumed.

The designated road allowance width of Wellington Street is 26.21 m (86 feet). As a condition of development approval, we recommend that sufficient land be dedicated to the Region to establish the above designation. This widening is approximately 3 m (10 feet) wide adjacent to Wellington Street.

Any work within the adjacent road allowances, as widened, must conform to the respective Streets By-laws.

Any change or new access requires an Access Permit from this office. A Building Setback Permit is required prior to the issuance of the Building Permit."

- The Building Department has advised that:

- "1. The proposed funeral home is not permitted.
2. The proposed two storey building requires a minimum 12.0 m front yard.
3. The proposed sign is located in the required front yard.
4. Side yards may be required by the Ontario Building Code for fire protection.
5. The proposed two storey building requires a 4.5 m rear yard which may be measured from the centre of the alley.

6. A funeral home requires a minimum 36 parking spaces and one 3.7 m x 18.0 m x 4.3 m loading space (based on 1,640 m<sup>2</sup> of gross floor area.)
7. The required parking and loading spaces are not located on the same lot as the funeral home.
8. The proposed garage is not permitted in a "G-3" district.
9. The "G-3" district requires a 4.5 m front yard for the part of the parking lot which is more than 12.0 m from the "H" district adjacent to the southern boundary line of the zoning district.
10. No part of the parking, manoeuvring and loading spaces are permitted to be located in the required front yard.
11. A visual barrier of not less than 1.2 m and not more than 2.0 m in height is required along the northerly lot line of the parking lot and shall be 3.0 m from the front lot line.  
NOTE: If more than half of the ceiling height of the basement area is below grade, then this area would be considered cellar and, therefore, the required parking and loading spaces shall be less.
12. The "G-3" district is subject to Site Plan Control approval."

The following supplementary comments were also submitted:

"The garage does not conform to the provision of Section 13C(1)(ii) of By-law 6593. Yards may be required by the Ontario Building Code for fire protection."

- The Traffic Department has advised that:

"...we would be prepared to support this proposal under either of the following conditions:

- 1) The applicant apply for, and receive approval for, changing the east-west alley south of the site to a one-way eastbound operation. The one-way designation must be in place, at a minimum, from Wellington Street North to the north-south alley east of Wellington.
- 2) The building being relocated to "Area 1" (shown on the application) and minimum 20 foot driveway (including the alley) being provided to Wellington Street."



## COMMENTS

1. The proposal complies with the intent of the Official Plan.
2. The proposal does not comply with the approved Lansdale Neighbourhood Plan and, if approved, would necessitate an amendment to the Plan to redesignate Block "1" from "MEDIUM DENSITY APARTMENTS" to "COMMERCIAL".
3. The proposal has merit and can be supported for the following reasons:
  - it would be compatible with existing and future intended development in the surrounding area; and,
  - it simply involves the replacement of the existing funeral home (Robinson Funeral Home) fronting onto West Avenue North (Block "2"), with a new building to front onto Wellington Street North (Block "3"). In this regard, it would appear that the existing facility has existed harmoniously with established development in the surrounding area.
4. The Building Department has advised that approval of the application would necessitate the following additional variances:

### 4.1 BLOCK "1"

- Permitted Use

The applicant proposes to locate a 3 car garage on Block "1" for purposes of storing funeral home vehicles, whereas, no buildings (except a shelter for attendants) is permitted in a "G-3" (Public Parking Lots) District. Considering the site restrictions and that the proposed garage is normally incidental for a funeral home, the variance can be supported.

- Front Yard

In accordance with subsection 13C(1)(3)(i) a minimum front yard equivalent to an adjoining residential district is required. The subject lands adjoin an "E" District to the north. Accordingly, a minimum 4.5 m (14.76 foot) front yard adjoining West Avenue North is required, whereas 3.0 m is proposed. Considering the established building setbacks along West Avenue North and the site restrictions, the requested variance is viewed as being minor and can be supported.

In addition, it would be appropriate to modify the "H" District regulations applicable to Block "2", to require the provision of a minimum 3.0 m landscaped area along the easterly lot line as proposed.

#### 4.2 BLOCK "3"

- Front Yard

A minimum front yard depth of 12.0 m (39.37 feet) is required, whereas 4.5 m (15 feet) is proposed. However, the Engineering Department has advised that a 3.0 m road widening will be required along Wellington Street which will effectively reduce the front yard to 1.7 m (5.5 feet). The 12.0 m setback is only required because the lands adjoin an "A" (Conservation, Open Space, Park and Recreation) District to the south, otherwise no front yard would be required. Considering that the proposal would maintain a building setback in keeping with the adjoining dwelling to the north (15.8 feet), the variance can be supported.

- Rear Yard

A minimum rear yard of 4.5 m (14.76 feet) is required, whereas none is proposed. Considering that the proposed funeral home adjoins an alleyway at the rear and the proposed parking area (Blocks "1" and "2"), the variance can be supported.

- Sign

The applicant proposes to locate a sign within the front yard, whereas signs are not permitted in a required front yard. In view of the fact that a front yard is only required due to the adjoining "A" District (Park), the variance is considered minor and can be supported.

- Parking, Loading and Manoeuvring Space

Section 18A(9) of the Zoning By-law states that required parking, loading and manoeuvring space is to be provided on-site, whereas it is proposed to be provided off-site (Blocks "1" and "2"). Considering that the subject lands are bisected by an alleyway, the variance is considered minor and can be supported.

5. In accordance with By-law No. 79-275 as amended by By-law No. 87-223, the "G-3" (Public Parking Lots) District on Block "1", is subject to Site Plan Approval, whereas the "H" District is not. Since Block "2" ("H" District) is to be used for parking and loading in conjunction with Block "1", and given the comprehensive nature of the development, it would be appropriate to apply Site Plan Approval to the entire site. In this regard, details such as landscaping, yard setbacks, etc. could be reviewed in detail. Furthermore, the Engineering Department's recommendation respecting a road widening on Wellington Street could be accommodated at the Site Plan stage.
6. In keeping with the recommendation of the Traffic Department, passing of the amending By-law should be held in abeyance, pending approval of an application by the applicant to have the alleyway adjoining the southerly lot line of Block "3" for one-way traffic eastbound.

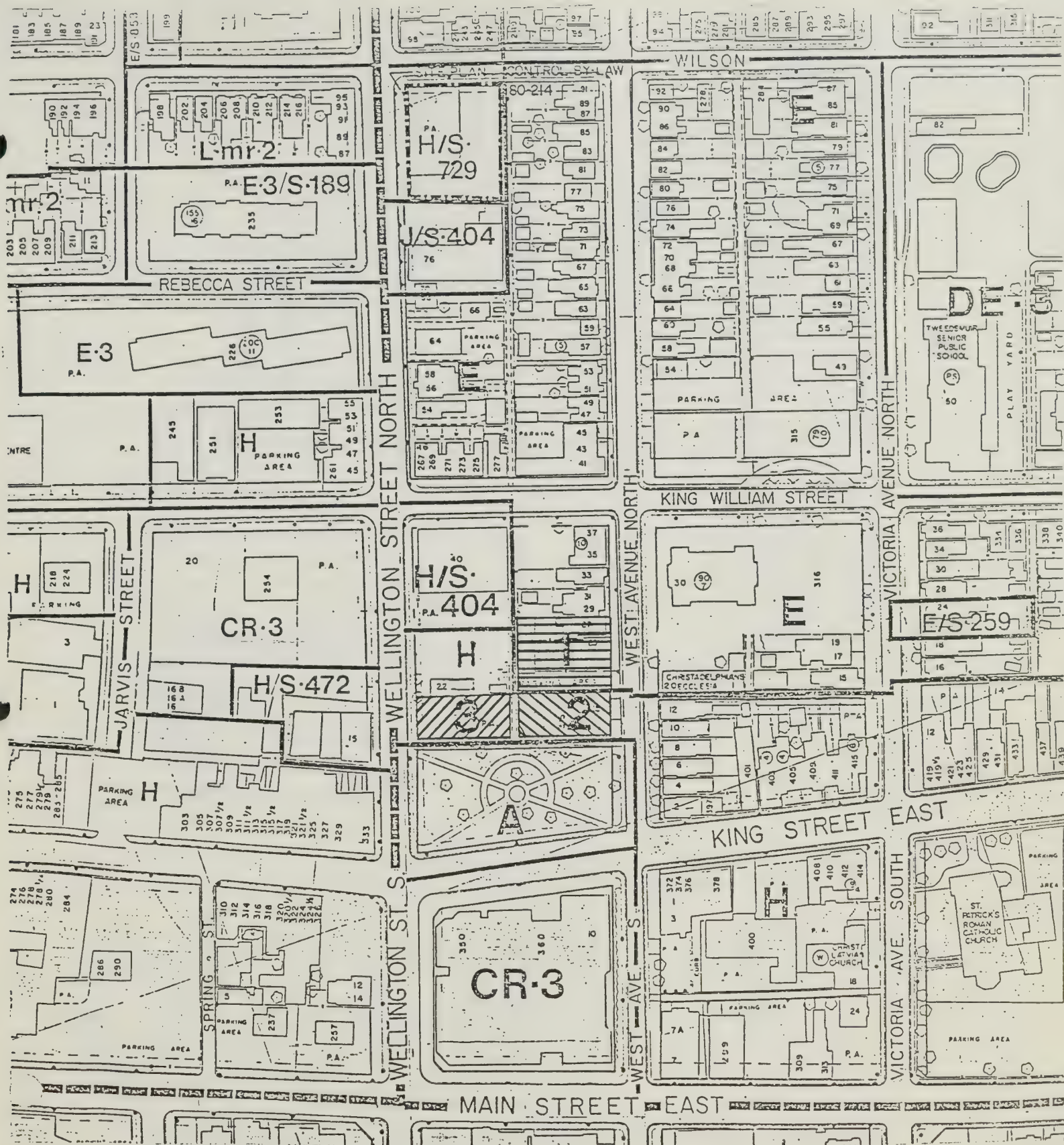
**CONCLUSION**

On the basis of the foregoing, the application can be supported.

HY/PDM:ma/dkp

ZA8949

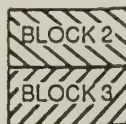




# Legend



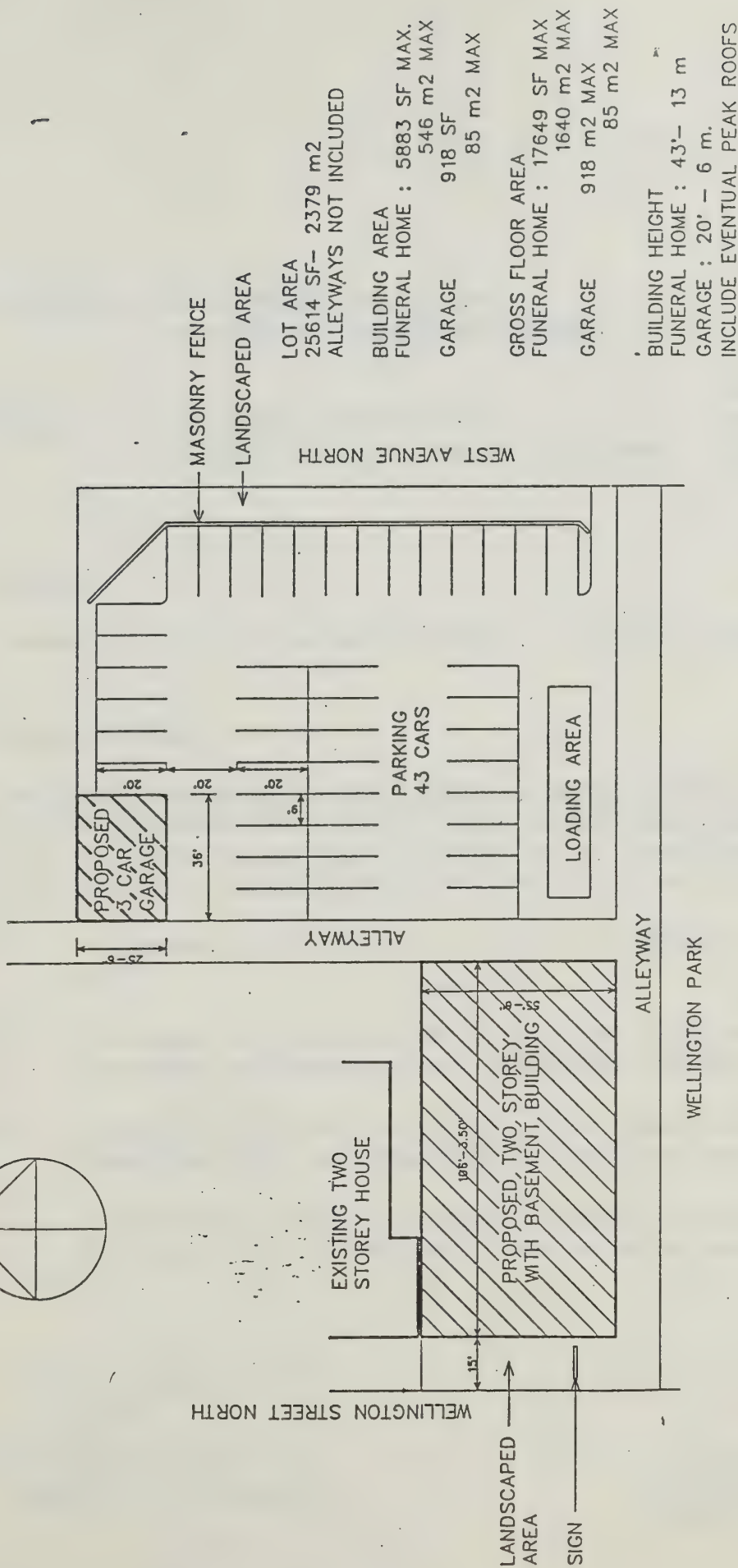
Change in Zoning From "E"(Multiple Dwellings, Lodges, Clubs, etc.) District To "G-3"(Public Parking Lots) District, modified.



Modification To The "H"(Community Shopping and Commercial, etc.) District.







LOT AREA  
25614 SF- 2379 m<sup>2</sup>  
ALLEYWAYS NOT INCLUDED

BUILDING AREA  
FUNERAL HOME : 5883 SF MAX.  
546 m<sup>2</sup> MAX  
GARAGE 918 SF  
85 m<sup>2</sup> MAX

GROSS FLOOR AREA  
FUNERAL HOME : 17649 SF MAX  
1640 m<sup>2</sup> MAX  
GARAGE 918 m<sup>2</sup> MAX  
85 m<sup>2</sup> MAX

BUILDING HEIGHT  
FUNERAL HOME : 43'- 13 m  
GARAGE : 20' - 6 m.  
INCLUDE EVENTUAL PEAK ROOFS

# SITE PLAN

ROBINSON FUNERAL HOME		FILE No. 89 - 49	
15-27 WEST AVENUE NORTH 16 - 20 WELLINGTON STREET NORTH HAMILTON-ONTARIO		NTS	
M I C H A E L <b>TORSNEY</b> ARCHITECTS INC. 144 JAMES STREET SOUTH HAMILTON, ONTARIO L8P 3A2 (416) 522-2484 FAX 522-0896		MICHAEL TORSNEY LICENCE 1659	
ONTARIO ASSOCIATION OF ARCHITECTS			





FOR ACTION

28.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**DATE:** 1989 August 4  
**COMM FILE:**  
**DEPT. FILE:** ZA-89-36  
Mountain  
Industrial  
Area

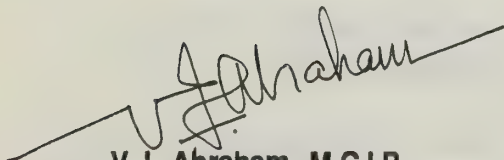
**SUBJECT:**

Request for a change and modification in zoning - No. 1515 Upper Ottawa Street.

**RECOMMENDATION**

That Zoning Application 89-36, 658414 Ontario Inc., owner, requesting a change in zoning from an "M-12" (Prestige Industrial) District to "M-11" (Prestige Industrial) District modified to permit the existing video store, the variety store, and the travel agency uses for property located at No. 1515 Upper Ottawa Street, as shown on the attached map marked APPENDIX "A", be DENIED for the following reasons:

- i) The proposal does not comply with the intent of the Official Plan or the Mountain Industrial Area Plan;
- ii) The proposal does not comply with the intent of the "M-12" (Prestige Industrial) District which is to provide for light industrial use and a limited range of non-retail commercial uses;
- iii) Approval of the application may encourage similar applications from other properties along Upper Ottawa Street which, if approved, would undermine the industrial designation of the area; and,
- iv) There are other locations in the Mountain Industrial Area which are appropriately zoned where the proposed commercial uses would be more appropriately located.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

## FINANCIAL IMPLICATIONS

N/A

## BACKGROUND

There is a commercial plaza on the subject lands with such uses as a variety store, a travel agency, a restaurant, a real estate office and a video store. The applicant is requesting a change to "M-11" (Prestige Industrial) zoning in order that the existing uses will comply with the zoning by-law. Further, the applicant is requesting a modification to the "M-11" (Prestige Industrial) District to permit the video store, the variety store and the travel agency to continue operating on the subject lands.

## APPLICANT

658414 Ontario Inc., Mr. L. DiDiodato, owner.

## LOT SIZE AND AREA

- o 52 m (170.60 ft.) of lot frontage on Upper Ottawa Street;
- o 46.229 m (151.67 ft.) of lot frontage on Unsworth Drive; and,
- o 2,403.908 m (25, 876.230 sq.ft.) of lot area.

## LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	Travel agency, restaurant, variety store, real estate office and a video store	"M-12" (Prestige Industrial) District
<u>Surrounding Land</u>		
to the north	vacant	"M-12" (Prestige Industrial) District
to the south	industrial-commercial (under construction)	"M-12" (Prestige Industrial) District
to the east	light industrial and wholesale commercial	"M-14" (Prestige Industrial) District and "M-12" (Prestige Industrial) District



to the west

single-family  
residential

"C" (Urban Protected  
Residential, etc.) District

### **OFFICIAL PLAN**

The subject lands are designated industrial on Schedule "A" - Land Use Concept and are within Special Policy Area 11 on Schedule "B" - Special Policy Areas, and are subject to the following policies:

"A.2.3.1 The primary uses permitted in the areas designated on Schedule "A" as INDUSTRIAL will be for Industry. In this regard, Industry is defined as manufacturing, processing, warehousing, repair and servicing. In addition to the primary permitted uses, the following uses may be permitted within INDUSTRIAL areas:

- i) Uses that are incidental to INDUSTRIAL operations such as retail and wholesale enterprises which are operated as subsidiary functions of an INDUSTRIAL establishment;
- ii) Business enterprises such as, but not limited to, banks, restaurants, garages, material suppliers, etc., which are intended to directly serve the Industries and their personnel;
- iii) Uses which have characteristics or functional requirements similar to Industries;
- iv) Residences for maintenance staff of a principal use;
- v) Research and development facilities;
- vi) Public and private transportation terminals, highway and road-related services (e.g. automobile service stations); and,
- vii) All uses which, in the opinion of Council, complement and do not interfere with, or detract from, the primary function of the area".

The proposal does not comply with the intent of the Official Plan. Approval of the application would require an Official Plan Amendment to establish a "Special Policy Area" to permit commercial uses.

## NEIGHBOURHOOD PLAN

The subject lands are designated as "Restricted Industrial-Commercial" within the Mountain Industrial Area Plan, the proposal does not comply. The subject lands would have to be redesignated to "Commercial" use in the Mountain Industrial Area Plan in order to comply with the intent of the Plan.

## COMMENTS RECEIVED

- o The Building Department has advised that:
  - "1. Industrial uses are not permitted in the proposed "M-11" zoning district.
  - 2. This Department informed the applicant that the proposed uses of a variety store and a travel agency are not permitted in a "M-12" district.
  - 3. A variety store and a travel agency are not permitted uses in any of the "M" zoning districts. Therefore, the applicant may wish to revise this application to modify the present zone and specify the types of uses that are not usually permitted".
- o The Engineering Department has advised that "public watermain, as well as sanitary and storm sewers are available to service the subject lands. In addition, no further road allowances widenings are anticipated at this time".
- o The Traffic Department, the Local Architectural Conservation Advisory Committee Staff, and the Hamilton Region Conservation Authority have no comments or objections.
- o The Economic Development Department has advised that:

"Permitting a broader range of uses on these lands could have a negative effect on existing developments in the Hamilton Mountain Industrial Business Park currently proceeding in "M-11" zones. As the applicants were cognizant of the range of uses permitted in "M-12" zones prior to purchasing the lands, we cannot support these applications".
- o The Real Estate Department has advised that:

"The property was purchased from the Region on the basis of M-12 zoning. We are of the opinion that if the Planning Department wanted a commercial zoning at this location then it would have been zoned accordingly. The Region then would have been in a position to capitalize on the market value that M-11 lands demand. We are therefore against the rezoning to M-11."

### COMMENTS

1. The proposal does not comply with the intent of the Official Plan. Approval of the application would require an Official Plan Amendment to establish a "Special Policy Area" to permit commercial uses.
2. The proposal conflicts with the intent of the approved Mountain Industrial Area Plan. Approval of the application would require a redesignation of the subject lands in the Mountain Industrial Area Plan from "Restricted Industrial-Commercial" to "Restricted Commercial".
3. The proposal cannot be supported for the following reasons:
  - i) it conflicts with the intent of the Official Plan which designates the land for "Industrial" uses;
  - ii) it conflicts with the intent of the Mountain Industrial Area Plan which designates the land for "Restricted Industrial-Commercial" use;
  - iii) approval of the application may encourage similar applications from other properties along Upper Ottawa Street which, if approved, would undermine the industrial designation of the area;
  - iv) with respect to the commercial use, the "M-12" zone is intended for wholesale commercial use while the "M-11" zone is to be used for a broad range of retail commercial purposes. The retail uses permitted in the "M-11" zone are intended to be located at the intersection of major arterial roads rather than fronting on one major road and is not appropriate for this location; and,
  - v) within the Mountain Industrial Area there are lands zoned for "M-11" use at the northeast corner of Rymal Road and Upper Ottawa Street, at the southeast corner of Upper Ottawa Street and Stone Church Road, and on all lands at the intersection of Rymal Road and Dartnall Road (southeast of the subject lands). A change in zoning on this property could undermine existing and future developments in the other "M-11" zones in the Mountain Industrial Area.

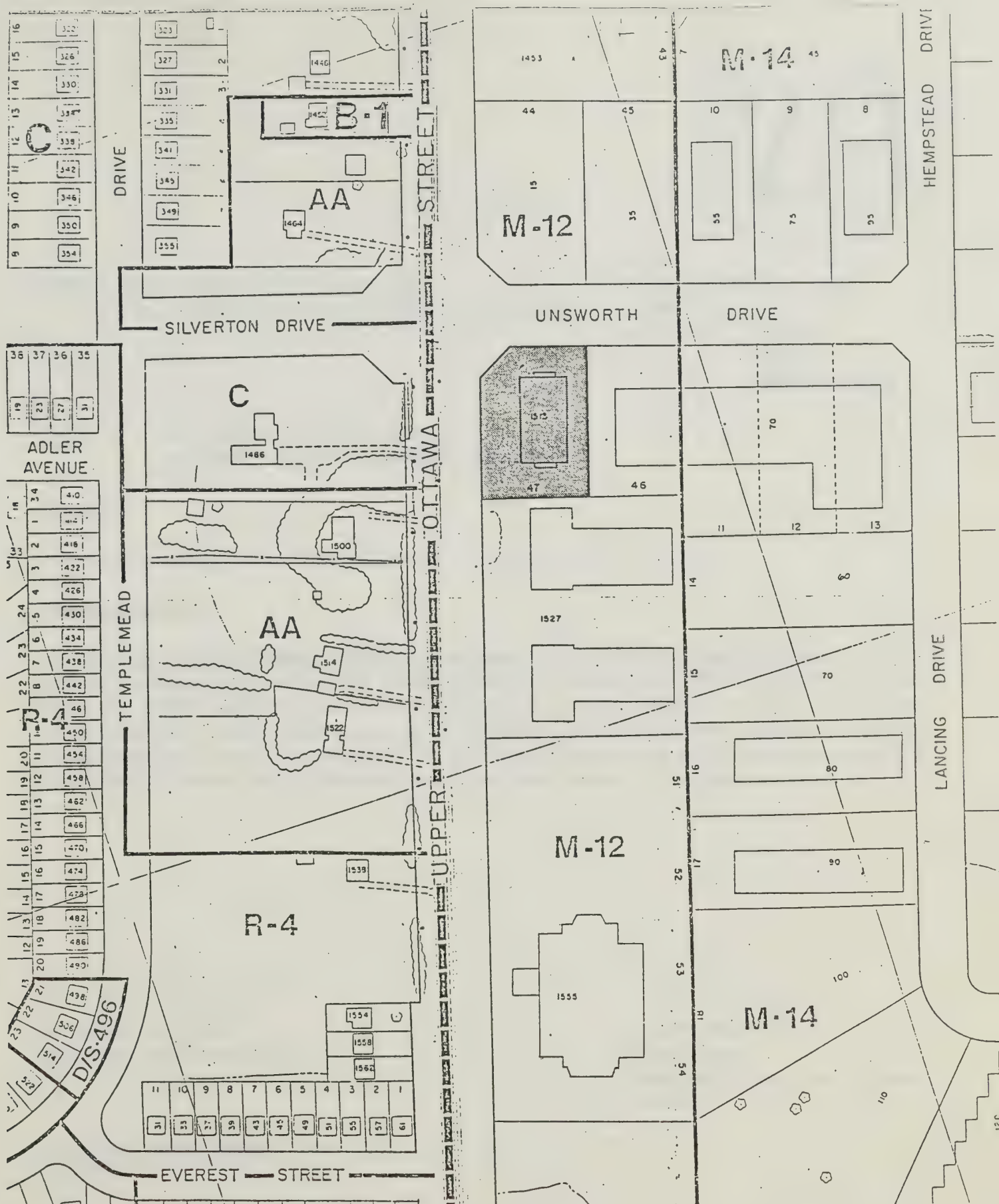
### CONCLUSION

Based on the foregoing, the application cannot be supported.

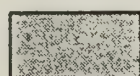
MLT/ma  
WPZA8936







# LEGEND



SITE OF THE APPLICATION



APPENDIX A





FOR ACTION

29.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** AUGUST 8, 1989  
**COMM FILE:**  
**DEPT FILE:** ZA-89-55  
Gibson  
Neighbourhood

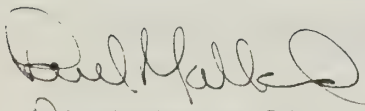
**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

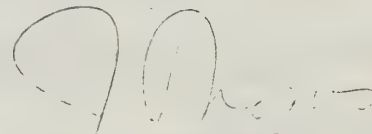
**SUBJECT:**

Request for a change and modification in zoning - No. 286 Sanford Avenue North.

**RECOMMENDATION**

That amended Zoning Application 89-55, Meridian Co-operative Homes/Homestarts, prospective owner, requesting a change in zoning from "K" (Heavy Industry, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified to permit the conversion of the existing building to a maximum 74-unit co-operative/non-profit multiple dwelling on lands located at No. 286 Sanford Avenue North, as shown on the attached map marked as APPENDIX "A", be TABLED pending the submission and review of a professional accoustical study to the satisfaction of the Ontario Ministry of the Environment.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development  
Department

**FINANCIAL IMPLICATIONS**

N/A

## BACKGROUND

The purpose of the proposed change in zoning is to permit the conversion of the existing seven-storey office building (formerly Westinghouse) to a 74-unit (maximum) co-operative non-profit housing project. Thirty percent of the dwelling units will be designated for senior citizens, 5% will be designated for disabled persons, while the balance will be geared to income-assisted housing. It is understood that the applicant has requested the Ministry of Housing for consideration to include the project under the Provincial Affordable Housing Program.

## APPLICANT

Meridian Co-operative Homes c/o Homestarts Incorporated, prospective owner.

## LOT SIZE AND AREA

- 36.08 m (118.37 ft.) of lot frontage on Sanford Avenue North;
- 64.5 m (211.5 ft.) frontage on Myler Street;
- 39.0 m (128.12 feet) of frontage on Westinghouse Avenue; and,
- 2,445.9 m<sup>2</sup> (26,328.1 sq. ft.) of lot area.

## LAND USE AND ZONING

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands</u>	7-Storey Office Building	"K" (Heavy Industry, etc.) District
<u>Surrounding Lands</u>		
To the north	Industrial (Westinghouse Canada Inc.)	"K" (Heavy Industry, etc.) District
To the south	Single-family, two-family, three-family, and multiple-family dwellings	"K" (Heavy Industry, etc.) District
To the east	Storage garage and parking lot	"K" (Heavy Industry, etc.) District

To the west

Park

"A" (Conservation, Open Space, Park and Recreation) District

### **OFFICIAL PLAN**

Designated "Industrial" on Schedule "A" - Land Use Concept Plan of the Official Plan, and within SPECIAL POLICY AREA 11 on Schedule "B" - Special Policy Areas. Within SPECIAL POLICY AREA 11, Light Industrial uses are permitted. The following policies among others would also apply:

- "A.2.3.1      The primary uses permitted in the areas designated on Schedule "A" as INDUSTRIAL will be for Industry. In this regard, Industry is defined as manufacturing, processing, warehousing, repair and servicing.
- A.2.3.22      In amending the Plan to permit a change in use from Residential to LIGHT INDUSTRIAL or LIGHT INDUSTRIAL to Residential in areas where a mix of Residential and Industrial is permissible in the short term, Council will consider the following in the preparation of appropriate by-laws:
- i)      Recommendations of any future residential enclave studies;
  - ii)      The advisability of retaining existing buildings or uses in terms of their architectural or historical merit, or employment opportunities;
  - iii)      The extent of which a change in use would adversely affect the continued compatibility of neighbourhood uses; and,
  - iv)      The provisions of appropriate Provincial legislation, either governing the issuance of Certificate of Approval for LIGHT INDUSTRIAL USES or in any other manner regulating the standards of LIGHT INDUSTRIAL PERFORMANCE."

The proposed residential use is not permitted within the INDUSTRIAL designation. If the application is approved, an Official Plan Amendment will be required to redesignate the subject lands from INDUSTRIAL to RESIDENTIAL and to remove them from SPECIAL POLICY AREA 11.

### **NEIGHBOURHOOD PLAN**

Designated for "INDUSTRIAL" use on the approved Gibson Neighbourhood Plan. The proposal would require redesignation from "INDUSTRIAL" to "MEDIUM DENSITY APARTMENTS".



### COMMENTS RECEIVED

- The Building Department has advised that:

- "1. The west front yard, the north side yard, and the east rear yard setbacks are all insufficient.
2. There is parking in the required front yard, which is not permitted.
3. Required parking spaces shall be 8.86 ft. x 19.69 ft. All spaces shown are 9.50 x 16.00 ft.
4. The driveways and the manoeuvring lengths shall both be 19.69 ft. long. Shown is one aisle at 15.0 ft. and the other at 15.37 ft. I doubt if you could actually manoeuvre a car in this short space.
5. A portion of the manoeuvring on the south side is a city alley, which is not permitted.
6. There is not 25% of the lot area landscaped.
7. The required loading space is not shown.
8. The number of required parking spaces is 93; shown is 66 spaces.
9. The maximum gross floor area permitted is approximately 44,760 square feet. The proposed gross floor area will be approximately 70,000 square feet."

- The Traffic Department has advised as follows:

"As discussed, we would be prepared to support this project under the following conditions:

- 1) Max. 74 units
- 2) Min. 30% of units for seniors
- 3) Parking being provided as: .3 space/senior unit  
.8 space/non-senior unit

We prefer the parking layout provided by the architect which provided for 55 spaces but agree that his plan should be modified as follows:

- 1) provide maximum landscape line to match east and west building face extensions (i.e. loss of 2 spaces).
- 2) relocation of parking along south property line so as to remove parking from alley".

- The Hamilton-Wentworth Engineering Department has advised that:

"Both public watermains as well as combined storm and sanitary sewers are available.

We do not anticipate any further road widenings at this time.

The abutting alley from Sanford Avenue to Westinghouse is public assumed.

Further specific details will be dealt with at the site plan stage."

- The Local Architectural Conservation Advisory Committee staff has advised that the building is designated under the Ontario Heritage Act. In this regard, the following comments were submitted:

"We support the proposed change in zoning from "K" (Heavy Industry) to "E" (Multiple Dwellings, etc.) District for the following reasons:

1. While it would be preferable, from a heritage conservation standpoint, for the Canadian Westinghouse Head Office to continue to serve its original function as an office building, the proposed residential use may better ensure the continued viability of the building, thereby securing its future. (Note: designation under the Ontario Heritage Act does not provide permanent protection against demolition).
2. While changes of use can often result in unsympathetic alterations or additions, this building is protected from adverse changes to any of its designated facades. (Note: visible alteration to the building's designated features or facades required special approval from Council.)"

- The Hamilton Region Conservation Authority has no objection.

- The Ministry of the Environment has advised as follows:

"...Apart from the question of noise effects upon the residential environment of potential tenants, stack emissions from various sources in and around the Westinghouse complex must be considered. Given the proximity of these sources to the proposed residential receptor and the height of that receptor (seven storeys), adverse weather conditions, possible abatement equipment failure and operator error compounded by potential coincidences of these events could lead to atmospheric conditions not conducive to a living environment.

In summary, for reasons stated herein, The Ministry of the Environment recommends against approval to amendments to the City of Hamilton Official Plan and zoning by-law being sought by Meridan Co-operative Homes.

While this is our primary recommendation, in the event that the Region wishes further information before arriving at a decision upon the proposal, we would request that a professional acoustical study be conducted. Such a study should quantify noise levels and describe the various tonal characteristics of noise occurring at the four faces and throughout the full height of the subject building. Noise generated by all sources including the occasional testing of gas and steam turbines should be included. Information upon the frequency and duration of such testing as well as perhaps some acoustical data could be available from Westinghouse personnel. Any such study should be submitted to this Ministry for review and approval of its recommendations..."

### COMMENTS

1. The proposal conflicts with the intent of the Official Plan. Approval of the application would require redesignation of the subject lands to "RESIDENTIAL" and to remove them from SPECIAL POLICY AREA 11.
2. The proposal would require redesignation of the approved Gibson Neighbourhood from "INDUSTRIAL" to "MEDIUM DENSITY APARTMENTS".
3. The following is a summary of the positive and negative aspects of the proposed development:

#### 3.1 Positive Aspects

- it would facilitate the adaptive re-use of a designated building under the Ontario Heritage Act which is of architectural/historical significance;
- it would provide for assisted housing which is in short supply. In this regard, the need for assisted housing has been documented in a report prepared by the Planning and Development Department in 1988, based on an assisted housing survey. The survey revealed that a total of 5,041 households were in need of Market Rent or Rent Geared-to-Income accommodations.

Furthermore, according to the latest CMHC Housing Report (October 1988), the City of Hamilton's vacancy rate for apartments with six or more units is 0.5%, and 1.1% for Zone 4 within which the subject lands are located, which is well below a vacancy rate of 3% which is considered desirable;

- it implements the Provincial Policy Statement respecting Land Use Planning for Housing (i.e. affordable housing);
- it is located in proximity to a large park (Woodlands), a public transit route (Barton Street), community and commercial facilities; and,



- it would be compatible with established residential development to the south.

### 3.2 Negative Aspects

The subject building is located in close proximity to established heavy industrial uses to the north (Westinghouse Canada Inc.), and may be subjected to negative environmental impacts (e.g. air quality, noise).

4. In view of the comments and concerns raised by the Ministry of the Environment respecting potential negative impacts from established heavy industrial uses on the proposed development (see COMMENTS RECEIVED), it would be appropriate to TABLE the application pending the submission and review of a professional acoustical study to the satisfaction of the Ministry.

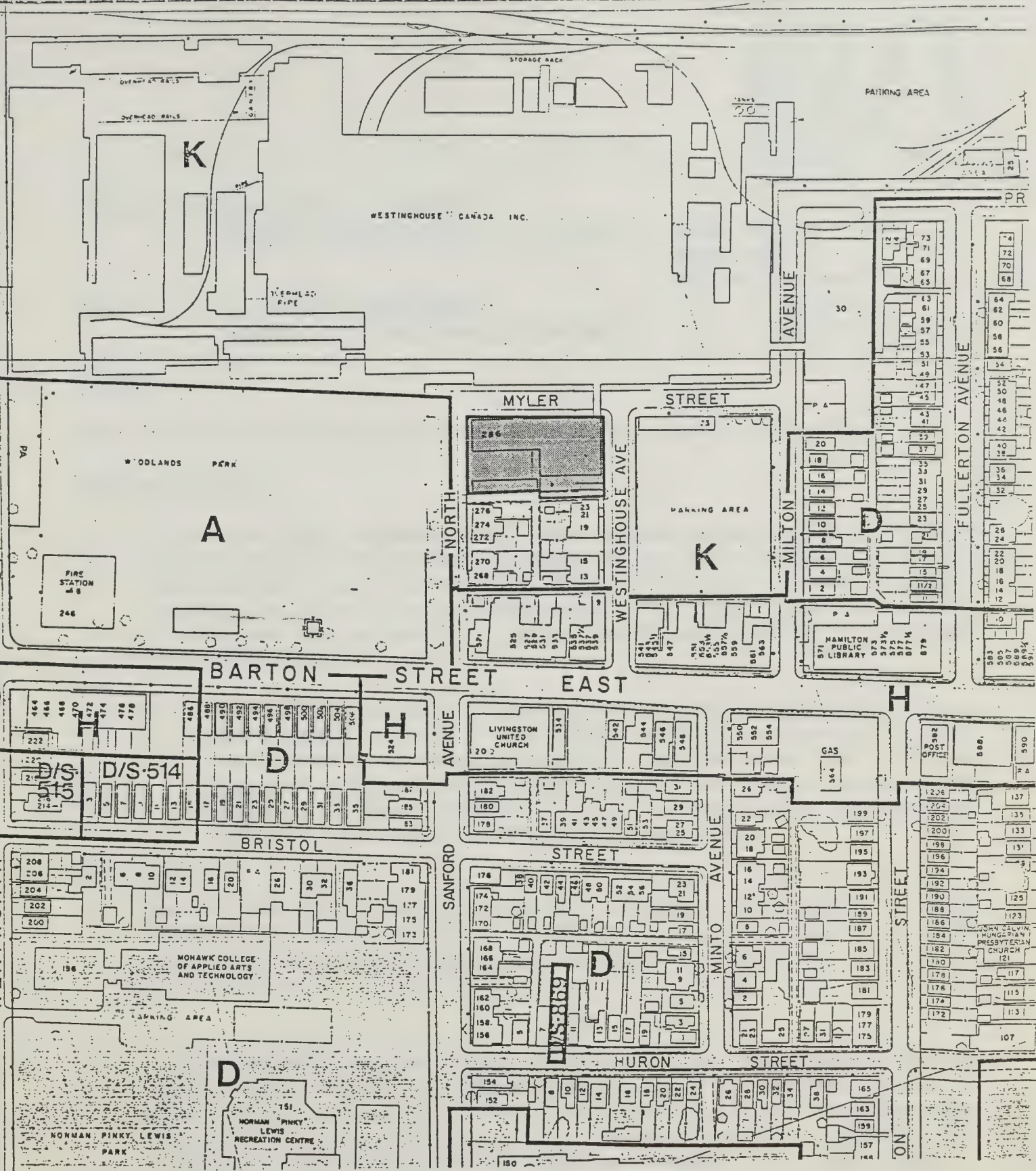
### CONCLUSION

That the application be TABLED, pending the submission and review of a professional acoustical study to the satisfaction of the Ontario Ministry of the Environment.

GAW/PDM/ma  
ZA8955



WENTWORTH STREET NORTH



Legend



Site of the Application







## FOR ACTION

30.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** AUGUST 3, 1989

**COMM FILE:**

**DEPT FILE:** ZA-87-58

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

GERSHOME  
NEIGHBOURHOOD

**SUBJECT:**

Request for a change in zoning for the properties located at Nos. 2774-2794 King Street East.

**RECOMMENDATIONS**

- A) That amended Zoning Application 87-58, Tommar Construction, owner, requesting a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District provisions to permit a two storey restaurant having a maximum seating capacity of 99 persons and a maximum seating area of 232.2 m<sup>2</sup> within the proposed shopping centre, for the property located at Nos. 2774-2794 King Street East, as shown on the attached Map marked as APPENDIX "A", be DENIED for the following reason:
- i) it conflicts with the intent of the approved Gershome Neighbourhood Plan, in that the seating capacity and size of the proposed restaurant is larger than a "family" (neighbourhood based) restaurant envisioned by the Neighbourhood Plan. A 'family' type restaurant is considered to be a sit-down eating establishment having a maximum seating capacity for 60 persons. Furthermore, the proposed restaurant would likely depend on clientele from an area larger than the immediate neighbourhoods.
- B) That approval be given to Official Plan Amendment No. to redesignate a portion of the subject lands (Block "2") from RESIDENTIAL to COMMERCIAL and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- C) That approval be given to an amended Zoning Application 87-58, Tommar Construction, owner for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District provisions, to permit a restaurant having a maximum seating capacity of 60 persons and a seating area within the first floor of the proposed shopping centre, for the property located at Nos. 2774-2794 King Street East, as shown on the attached map marked as APPENDIX "A", on the following basis:

- i) That By-law 86-204, amending Zoning By-law No. 6593, be further amended on the following basis:
  - a) That Section 2.(b)(i)(1) be deleted.
- ii) That By-law 86-230 amending Zoning By-law No. 6593, be further amended on the following basis:
  - a) That Section 2.(a)(ii)(1) be deleted.
- iii) That the "G" (Neighbourhood Shopping Centre) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", be further modified to include the following variances as special requirements:
  - a) Notwithstanding the provisions of Section 13.(1)(vii), a restaurant shall be permitted, provided that:
    - 1) it is contained within the first floor of the building;
    - 2) it shall have a maximum seating capacity of 60 persons; and,
    - 3) it shall have no drive through facility.
- iv) That a minimum 3.0 m wide landscaped strip shall be provided and maintained along the entire front lot line except for the access driveways.
- v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedules S-995a and S-996a, and that the subject lands on Zoning District Map E-106 be notated as S-995a and S-996a.
- vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106 for presentation to City Council.
- vii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area once Official Plan Amendment No.        is approved by the Regional Municipality of Hamilton-Wentworth.

#### **EXPLANATORY NOTE**

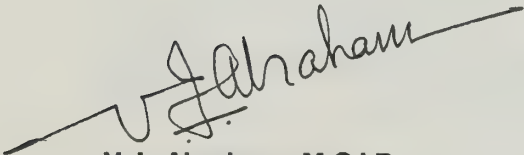
The purpose of this By-law is to provide for a further modification to the "G" (Neighbourhood Shopping Centre) District provisions for the properties located at Nos. 2774-2794 King Street East.



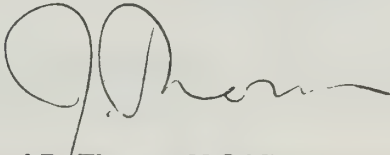
The effect of the By-law is to permit a restaurant provided:

- o it is located within the first floor of the building;
- o it has a maximum seating capacity of 60 persons; and,
- o it does not have a drive through facility.

In addition, the By-law requires a minimum 3.0 m wide landscaped strip to be provided and maintained along the front lot line, except for access driveways.



V.J. Abraham, M.C.I.P.  
Director of Local Planning



J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

#### FINANCIAL IMPLICATIONS

N/A

#### BACKGROUND

##### Planning History:

In August 1987, the Planning and Development Committee denied the applicant's original application for a change in zoning from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "HH" (Restricted Community Shopping and Commercial, etc.) District. The Planning and Development Department had recommended denial of the application because the proposed zoning district was contrary to the intent of the neighbourhood plan which prohibited high traffic generating uses. With the onset of re-development pressure in this area of King Street East, the Committee requested the Planning and Development Department to identify, more specifically, the types of commercial uses, performance and design standards that would be appropriate for the area.

In light of the Committee's decision, the applicant amended his application by requesting a modification to the "G" district to permit a restaurant (excluding fast food). His amended application was held in abeyance until the Gershome/Greenford Neighbourhood Plan study was completed.

The Neighbourhood Plan study concluded that a restaurant would be appropriate on this site provided it was of a moderate size (approximately 60 seats). On October 12, 1988, the Planning and Development Committee approved the Neighbourhood Plan study, but tabled this zoning application so the applicant and staff could have the opportunity to evaluate the merits of locating a 'family style' restaurant in the proposed shopping centre.

Proposal:

Staff has met with the applicant, on a number of occasions, in an attempt to determine an appropriate size for a 'family style' restaurant. The applicant has requested a restaurant which:

- o is two storeys in height;
- o has a floor area of approximately 371.6m<sup>2</sup> (4000 sq. ft.) which includes a 139.4m<sup>2</sup> (1,500 sq.ft.) kitchen and 232.2m<sup>2</sup> (2,500 sq. ft.) seating area.
- o has a maximum seating capacity of 99 persons.

'Family Style' Restaurant (Neighbourhood Restaurant)

As a result of the Neighbourhood study and in context of this application, the Department considers a 'family' restaurant to be a sit-down restaurant which serves the immediate neighbourhood and not the community at large. In this regard, the seating capacity should be limited to reflect the intended function of this type of restaurant.

A review of the seating capacity (persons) for various restaurant chains in the area was undertaken. For example,

- |   |              |                 |
|---|--------------|-----------------|
| o | Harvey's     | 85 - 90 seats   |
| o | McDonald's   | 90 - 100 seats  |
| o | Swiss Chalet | 225 - 300 seats |
| o | O'Tooles     | 200 - 225 seats |

Clearly, these restaurants, both sit-down and take out, depend on clientele that come from a much larger area than just the surrounding community to make their operations financially viable.

In addition, the City's Fire Prevention Bureau has indicated that, in their experience, restaurants located within plazas, generally have a seating capacity in the area of 60 - 80 seats.

According to the Building Code, 1.2m<sup>2</sup> of floor area is required for each person lawfully accommodated. Based on this calculation, a restaurant having a seating capacity of 60 persons would have a seating area of approximately 72m<sup>2</sup> (775 sq. ft.), whereas the proposed seating area would accommodate approximately 193 persons ( $232.2 \text{ m}^2 \div 1.2 \text{ m}^2 = 193.5$ ).

### **OFFICIAL PLAN**

Block "1" is designated COMMERCIAL on Schedule "A". The proposal complies

Block "2" is designated RESIDENTIAL on Schedule "A". Limited commercial uses are permitted with in a RESIDENTIAL designation provided they cater to the daily retail needs of the surrounding residents and are primarily depend on pedestrian traffic. The current uses permitted on the site do not cater to the daily needs of the surrounding residents nor do they rely primarily on pedestrian access.

Accordingly, Block "2" does not comply with the Official Plan. A site specific redesignation from RESIDENTIAL to COMMERCIAL is required to permit the proposal.

### **NEIGHBOURHOOD PLAN**

The size and seating capacity of the applicant's proposed restaurant does not comply with the intent of the approved Gershome Neighbourhood Plan. The Neighbourhood Plan makes provision for a moderate sized family type restaurant for approximately 60 persons.

An amended application to restrict the seating capacity to 60 persons with no drive through facility would be in keeping with the approved Neighbourhood Plan.

### **COMMENTS**

- 1) Block "2" does not comply to the Official Plan. A site specific redesignation to from RESIDENTIAL to COMMERCIAL is required to permit the proposal.
- 2) The proposal for a restaurant having a seating capacity of 99 persons and a seating area of 232.2m<sup>2</sup> does not comply with the approved Gershome Neighbourhood Plan. However, an amended application for a 60 seat restaurant would reflect the intent of the Neighbourhood Plan.
- 3) The applicant's proposal for a restaurant having a maximum seating capacity of 99 persons and a seating area of approximately 232.2m<sup>2</sup> (2,500 sq.ft) cannot be supported because it does not meet the criteria for a 'family style' restaurant due to its large seating capacity and seating area. As outlined in the Background section of this report, and in accordance with the Neighbourhood Plan, a 'family' restaurant is intended to serve the immediate neighbourhood and therefore, the number of persons should be restricted accordingly.



In response to the Department's investigation of seating capacity for several types of restaurants and in consultation with the Fire Department, a 'family style' restaurant would have in the order of 60 seats.

Furthermore, under the Building code regulations, the proposed 232.2m<sup>2</sup> seating area could accommodate approximately 193 persons which would potentially allow for a broad range of restaurants including fast food chains (ie. McDonald's).

In addition, the applicant has indicated the restaurant, which is to be contained on the second floor of the building, will not have any windows overlooking the single family dwellings to the south. However, this restriction is difficult to enforce through Zoning By-law provisions because a restriction to remove windows could not be isolated to one section of the building; windows would have to be prohibited in the entire second floor. Accordingly, it would be more appropriate to restrict the restaurant to the first floor only.

Clearly, the applicant's proposal is larger than what is envisioned as a 'family style' restaurant and, therefore, cannot be supported.

- 4) The Department could support an amended application for a restaurant within the shopping centre provided:
  - i) the seating capacity is restricted to 60 persons;
  - ii) there is no drive through facility; and,
  - iii) it is located on the first floor of the building.

These restrictions will ensure that any restaurant located in the shopping centre will be a sit-down 'family style' nature.

There is no need to restrict the seating area itself, because the seating limit imposed is sufficient in terms of zoning by-law enforcement as well as the issuing of licences.

- 5) In addition, a minimum 3.0m wide landscaped strip will be required along the front lot line. This requirement is in keeping with the Neighbourhood Plan review which encourages the use of landscaping to enhance the existing unique character and buildings in the area.
- 6) Under the "G" District provisions, the lands are subject to Site Plan Control By-laws 79-275 and 87-233. Matters such as parking, access, and landscaping will be approved during the site plan approval process.

## APPENDIX A





AA

SITE PLAN CONTROL  
BY-LAW 84-147

E-2/S-34

GIS-955  
BLOCK 1

GIS-956  
BLOCK 2

AA

CHERRYRIDGE

CLOSE

VIENNA

STREET

CHERRYRIDGE CLOSE

AVENUE

MONTE

MONTE COURT

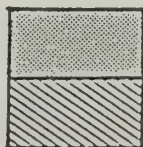
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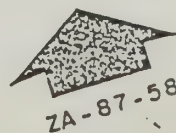
LEGEND

BLOCK 1

BLOCK 2



SITE OF THE APPLICATION





CA4 ON HBL 405  
CSIP4  
1989

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



Urban Municipal Librarian/  
Central Library

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 21

URBAN MUNICIPAL

AUG 24 1989

GOVERNMENT DOCUMENTS

Mr. E. W. Kowalski, Director of Community Development  
Mr. S. Ghanem, Director of Economic Development  
Mr. G. S. Spencer, Engineering Commissioner  
Attention: Mr. K. Brenner  
Mr. M. Main, Director of Traffic Services  
Mr. R. Karl, Traffic Department  
Ms. Diana Pasko, Planning Department  
Mr. E.G. Beres, Regional Assessment Commissioner  
Urban Municipal Librarian, Central Library

Attached herewith are the minutes of the Planning and Development Committee meeting held Wednesday, 1989 June 14.

These minutes were approved by the Committee at its meeting held Wednesday, 1989 August 16.

Yours very truly,

Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

SKR:dbm

Attch.

c.c.:

- Manager, C.M.H.C.
- Hamilton & District Chamber of Commerce  
Attention: Kathy Drewitt
- Mr. V. Mauceri, Manager, Research Dept., H.S.R.
- Mr. Paul E. Shewfelt, Board of Education
- Mr. T. Cupido, Superintendent of Plant,  
Hamilton Separate School Board
- Mr. M. D. Crowley, Southam Communications Ltd.
- Mr. D. Miller, Canada Life, London, Ontario
- Mr. P. Hill, Durand Neighbourhood, c/o Ruth Morrison
- Mr. Rob Hager, Research Statistician, Oshawa Foods





Wednesday, 1989 June 14  
1:30 o'clock p.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman J. Smith, Chairman  
Alderman F. Lombardo, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman W. McCulloch  
Alderman D. Ross  
Alderman B. Hinkley  
Alderman H. Merling  
Alderman D. Christopherson  
Alderman M. Kiss

Also present: Alderman J. Gallagher  
Alderman T. Cooke  
Alderman T. Jackson  
Alderman T. Murray  
Alderman D. Agostino  
Alderman G. Copps  
Mr. B. Pooler, Building Department  
Mr. P. Lampman, Building Department  
Ms. J. McNeilly, Community Development Department  
Mr. R. Karl, Traffic Department  
Mr. P. Hooker, City Solicitor's Office  
Mr. B. Loreto, City Solicitor's Office  
Mr. D. Carson, Mayor's Office  
Mr. V. Abraham, Director of Local Planning  
Mr. G. Robis, Building Department  
Mr. M. Watson, Real Estate Division  
Mr. J. Thoms, Commissioner of Planning and Development  
Mr. K. Brenner, Regional Engineering Department  
Mr. A. Georgieff, Planning Department  
Mrs. C. Floroff, Planning Department  
Mr. J. Sakala, Planning Department  
Mr. G. Groppler, Planning Department  
Mr. J. Schwarz, Regional Planning Department  
Mr. F. Angelici, Planning Department  
Mr. H. Yeghouchian, Planning Department  
Mr. D. Vyce, Director of Property  
Mrs. V. Gruppe, Planning Department  
Mr. Ford, Hamilton-Wentworth Health Unit  
Mr. M. Hornell, Planning Department  
Mrs. Susan K. Reeder, Secretary

Alderman M. Kiss represented a Delegation from the Locke Street Community respecting the location of a gun shop within a residential area at 122 Locke Street South.

Locke Street South -  
Gun Shop.

Alderman Kiss gave an overview on the concerns of the residents surrounding the Locke Street South property where a gun shop is opening up. She asked that a review be undertaken on a zoning amendment to prohibit this type of business from opening in future in a residential area.

Miss Donna Reid, spokesperson for the residents in the area spoke to the Committee on the neighbours concerns about the opening up of the gun shop on Locke Street South. She indicated that a petition of opposition to this gun shop location has been obtained.

Alderman T. Cooke spoke to the Committee in support of a review of the zoning by-law to prevent this type of incident occurring again. He gave an outline for the information of the Committee on the steps being undertaken at the Legislation Committee with respect to the legality of the operation at 122 Locke Street South.

The Committee was in receipt of an Information Report from the Deputy Building Commissioner dated 1989 June 6 respecting the Location of the Gun Shop at 122 Locke Street South.

The Committee was also in receipt of an Added Information Report from the Commissioner of Planning and Development dated 1989 June 12 respecting the Gun Shop at 122 Locke Street South.

Following further discussion on this matter, it was moved by Alderman Kiss, seconded by Alderman Lombardo and CARRIED that:

A Planning Review of Zoning By-law No. 6593 with respect to the location of gun shops in the City be conducted and reported back to the Planning and Development Committee.

Recorded vote:

Yeas: Smith, Hinkley, Lombardo, McCulloch, Kiss, Merling

Opposed: Ross

Minutes - 1989 April 12, 1989 April 26, 1989 May 10.

The Committee was in receipt of the minutes of their meetings held Wednesday, 1989 April 12th, Wednesday, 1989 April 26th and Wednesday, 1989 May 10th and APPROVED these minutes.

Amendments to The Rental Housing Protection Act 1989.

The Committee was in receipt of information forwarded to them from Alderman B. Hinkley respecting the Rental Housing Protection Act 1989. Alderman Hinkley spoke on this matter and the proposed extension of the Act as well as its amendments.

Following discussion on this matter by the Committee, the Committee agreed:

That staff review the matter raised by Alderman B. Hinkley respecting the Rental Housing Protection Act 1989 and report back to the Planning and Development Committee on the proposed extension of the Act, its amendments and the implications they will have on the City of Hamilton.

Demolition Permit Applications - Old Fire Hall, 37 Strathcona Ave. N.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting Demolition Permit Applications. Alderman McCulloch expressed concern that approval of the demolition of property at 41 Strathcona Avenue North does not automatically mean that the abutting old Firehall at 37 Strathcona Avenue North will also be permitted to be demolished. He indicated that L.A.C.A.C. is very concerned about this historic property.

The Committee then APPROVED the following:

That the Building Commissioner BE AUTHORIZED to issue demolition permits for the following properties:

- (a) 41 Strathcona Avenue North
- (b) 319 Hawkridge Avenue
- (c) 1533 Upper James Street
- (d) 236 Wood Street East
- (e) 1194 Garth Street
- (f) 1152 Garth Street
- (g) 33 Clinton Street
- (h) 13 Magill Street
- (i) 849 Upper Wentworth Street

Demolition Permit Applications - TABLED.

The Committee was also in receipt of a recommendation from the Acting Building Commissioner dated 1989 June 7 respecting Tabling of Several Demolition Permit Applications. It was indicated to the Committee that there needs to be an official tabling of two of the properties that have illegally been demolished in view of pending court action on this illegal action.



The Committee then APPROVED the following:

That the following Demolition Permit Applications be tabled:

- (a) 72 Limeridge Road East
- (b) 22 Peter Street
- (c) 4 Solidarnosc Place

The Committee was in receipt of a report from the Deputy Building Commissioner dated 1989 May 24 respecting property at 189 Park Row North.

Demolition -  
189 Park Row North.

Following some discussion on this matter the Committee APPROVED the following:

- (a) That the Building Commissioner BE DIRECTED to enforce an Order to Comply dated 1989 May 15, requiring the demolition of the unsafe single family dwelling at 189 Park Row North.
- (b) That the City Solicitor BE AUTHORIZED to prepare a by-law for the demolition of this property.

NOTE: The cost of the demolition, together with administration costs of both the Real Estate Department and the Building Department, will be added to the tax roll, to be collected in a like manner as municipal taxes.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting property at 293 Tragina Avenue North.

Clean-up -  
293 Tragina Avenue  
North.

Mr. Ford of the Hamilton-Wentworth Health Unit spoke to the Committee on the court action against Orders to date. Mr. B. Allick of the Building Department also spoke on this issue.

General discussion ensued on this matter and the Committee APPROVED the following:

That the City of Hamilton CARRY OUT the work as defined in the final and binding Order to Comply issued pursuant to the Property Standards By-law on the exterior of the property at 293 Tragina Avenue North.

NOTE: It is estimated that \$7,000. to \$10,000. will be required to be expended to bring the exterior of the building to a standard which meets the requirements of the Property Standards By-law. The cost of this work will be added to the tax roll, to be collected in a like manner as municipal taxes.

Following approval of a motion with respect to property at 293 Tragina Avenue North, the Committee expressed direction to the Building Department that all possible attention be given to proper procedures being followed in this matter in order to ensure that monies being spent are redeemable at some point.

The Committee was in receipt of a report from the Acting Building Commissioner dated 1989 June 7 respecting Cash-in-Lieu of Parking Policy for the property located at 849 Upper Wentworth Street.

Cash-in-lieu of  
Parking Policy -  
849 Upper Wentworth  
Street.

The Committee agreed TO TABLE this matter.

Community Heritage  
Trust Fund Loan -  
129 St. Clair Avenue.

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 5 respecting The City of Hamilton Heritage Programmes - 129 St. Clair Avenue.

The Committee **APPROVED** the following:

That a Community Heritage Trust Fund Loan in the amount of fourteen thousand, three hundred and fifteen dollars (\$14,315.) and a Designated Property grant in the amount of three thousand dollars (\$3,000.) **BE APPROVED** for 129 St. Clair Avenue.

**NOTE:** The interest rate on the loan will be 6 percent, amortized over 10 years.

Commercial Facade  
Loan Programme -  
361 Barton Street  
East.

The Committee was in receipt of a report from the Director of Community Development dated 1989 May 9 respecting a Commercial Facade Loan Programme Application for property at 361 Barton Street East.

The Committee **APPROVED** the following:

That a repayable Commercial Facade Programme loan, in the amount of eight thousand, seven hundred and seventy-four dollars (\$8,774.) **BE APPROVED** for 361 Barton Street East.

**NOTE:** The interest rate will be 6-3/4 percent, amortized over 10 years.

Commercial Facade  
Loan Programme -  
155, 157, 159 and  
161 James Street  
North.

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 7 respecting a Commercial Facade Loan Programme Application for property at 155, 157, 159 and 161 James Street North.

The Committee **APPROVED** the following:

That a repayable Commercial Facade Programme loan, in the amount of ten thousand, nine hundred and twenty-nine dollars (\$10,929.) **BE APPROVED** for 155, 157, 159 and 161 James Street North.

**NOTE:** The interest rate will be 6-3/4 percent, amortized over 10 years.

Buffering and  
Pedestrian Safety  
around Downtown  
Parking Lots.

The Committee was in receipt of a report from the Downtown Action Plan Co-ordinating Committee dated 1989 June 7 respecting Buffering and Pedestrian Safety around Downtown Parking Lots.

The Committee **APPROVED** the following:

That the Planning and Development Department be requested to further review Buffering of the Parking Lots within Commercial and/or Mix-use Districts within the Downtown Action Plan Study Area and make recommendations regarding zoning and/or licencing requirements to address the need for an effective barrier between pedestrians and parking lots for safety as well as aesthetics reasons.

Proposed Expansion  
of Retail Space at  
L.D. Jackson Square -  
York Boulevard  
Frontage.

The Committee was in receipt of a report from the Director of Property and Co-ordinator of the L. D. Jackson Square dated 1989 June 7 respecting the Proposed Expansion of Retail Space at L. D. Jackson Square - York Boulevard Frontage.

The Committee **APPROVED** the following:

- (a) That the City of Hamilton, in its capacity as Landlord, GRANT **CONDITIONAL APPROVAL** to Second Phase Civic Square Limited to expand the retail space of the L.D. Jackson Square along the York Boulevard frontage on a parcel of land, currently vacant, lying immediately to the west of the Central Library, the expansion contemplating the creation of restaurant space at grade level containing 6,418 square feet and a Health Club use in the basement level containing 13,902 square feet, subject to Second Phase:
- (i) Complying with the requirements of the Ground Lease including additional ground lease payment, if any,
  - (ii) Complying with all Federal, Provincial, Regional and Municipal laws, by-law, requirements and regulations,
  - (iii) Providing the detailed plans and drawings for approval in accordance with the Ground Lease,
  - (iv) Executing any amendments to the Ground Lease, if formal amendments prove necessary.
- (b) That the Lessee, Second Phase Civic Square Limited, **BE INFORMED** that this approval is preliminary only and is subject to the required plans, drawings and other documentation required by the Ground Lease and Development Agreement being received and approved by Council or the Co-Ordinator of the L. D. Jackson Square as the Review Authority as the case may be, prior to final approval being given and prior the commencement of any physical alteration to the leased premises and that the Lessee should act accordingly.
- (c) That the City of Hamilton **AGREE** to reducing the publicly usable open space by the area of the proposed restaurant and health club expansion.

The Committee was in receipt of a report from the Director of Property dated 1989 May 10 respecting Expropriation for Property at 386 Birch Avenue - Alpha Enclave (Plan 4).

Expropriation -  
386 Birch Avenue -  
Alpha Enclave (Plan 4).

The Committee **APPROVED** the following:

- (a) That **APPROVAL BE GRANTED** to expropriate the following land in order to complete the assembly of the adjoining properties required in conjunction with the clearance of residential enclaves for Alpha Enclave (Plan 4):
- Parts of Lots 11 and 12, Registered Plan 547, designated as Part 5; part of Lot 12, Registered Plan 547 designated as Part 2; and part of Reserve Registered Plan 547 designated as Part 4 all on Plan 62R-10273 City of Hamilton, Regional Municipality of Hamilton-Wentworth.
- (b) That the City Clerk **BE AUTHORIZED AND DIRECTED**, pursuant to The Expropriations Act, to:
- (i) Give Notice of The City's application to all owners, registered owners and tenants ( as defined in The Expropriations Act) of the said land;
  - (ii) Advertise Notice of the City's application in a newspaper as required by The Expropriations Act;
  - (iii) Sign and receive the said application for approval to expropriate.



Cash Payment in lieu  
of 5% Parkland  
Dedication - "Aspen  
West - Phase 4".

The Committee was in receipt of a report from the Commissioner of Engineering dated 1989 May 19 respecting Cash Payment in Lieu of 5% Parkland Dedication - "Aspen West - Phase 4", Hamilton.

The Committee APPROVED the following:

That the City of Hamilton ACCEPT the sum of \$17,480. as cash payment in lieu of 5% dedication in connection with "Aspen West - Phase 4", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

**NOTE:** These lands are located west of Upper Wentworth Street and south of Limeridge Road in the Crerar Neighbourhood, Hamilton.

Expropriation of  
Residential  
Properties -  
Alpha Enclave West.

The Committee was in receipt of a report from the City Solicitor dated 1989 May 25 respecting the Expropriation of Residential Properties in Alpha Enclave (West) for properties known municipally as 393, 401, 403 Sherman Avenue North; 9, 19, 21, 23, 27 Gerrard Street; 358, 388, 402 Birch Avenue; and 211, 217, 219, 221 Brant Street.

The Committee APPROVED the following:

That the City Clerk BE AUTHORIZED AND DIRECTED to:

- (a) Give Notice of the City's application for approval to expropriate, in accordance with subsection 34(8) of the Planning Act, 1983 for the following residential properties in Alpha Enclave (West):
  - (i) A parcel of land known municipally as 393 Sherman Avenue North, measuring approximately 27.432 metres (90.000 feet) by 8.159 metres (26.768 feet), and described as Part 7 on Plan 62R-10267;
  - (ii) A parcel of land known municipally as 401 Sherman Avenue North, measuring approximately 34.730 metres (113.944 feet) by 7.702 metres (25.269 feet), and described as Parts 5 and 6 on Plan 62R-10267;
  - (iii) A parcel of land known municipally as 403 Sherman Avenue North, measuring approximately 28.466 metres (93.392 feet) by 6.131 metres (20.115 feet), and described as Parts 1, 2 and 4 on Plan 62R-10267, including the right-of-way designated as Part 3 on the same plan;
  - (iv) A parcel of land known municipally as 9 Gerrard Street, measuring approximately 29.068 metres (95.367 feet) by 6.001 metres (19.688 feet), and described as Part 1 on Plan 62R-10265;
  - (v) A parcel of land known municipally as 19 Gerrard Street, measuring approximately 30.399 metres (99.734 feet) by 6.101 metres (20.016 feet), and described as Part 11 on Plan 62R-10267;
  - (vi) A parcel of land known municipally as 21 Gerrard Street, measuring approximately 30.632 metres (100.499 feet) by 5.796 metres (19.016 feet), and described as Part 10 on Plan 62R-10267;
  - (vii) A parcel of land known municipally as 23 Gerrard Street, measuring approximately 30.865 metres (101.263 feet) by 5.796 metres (19.016 feet), and described as Part 9 on Plan 62R-10267;

- (viii) A parcel of land known municipally as 27 Gerrard Street, measuring approximately 31.332 metres (102.795 feet) by 5.796 metres (19.016 feet), and described as Part 8 on Plan 62R-10267;
- (ix) A parcel of land known municipally as 358 Birch Avenue, measuring approximately 22.269 metres (73.061 feet) by 11.464 metres (37.612 feet), and described as Part 1 on Plan 62R-10240;
- (x) A parcel of land known municipally as 388 Birch Avenue, measuring approximately 31.394 metres (102.999 feet) by 7.010 metres (22.999 feet), and described as Parts 1 and 3 on Plan 62R-10273;
- (xi) A parcel of land known municipally as 402 Birch Avenue, measuring approximately 28.587 metres (93.789 feet) by 7.672 metres (25.171 feet), and described as Part 10 on Plan 62R-10273;
- (xii) A parcel of land known municipally as 211 Brant Street, measuring approximately 26.590 metres (87.238 feet) by 21.505 metres (70.554 feet), and described as Part 4 on Plan 62R-10240;
- (xiii) A parcel of land known municipally as 217 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 7.620 metres (25.000 feet), and described as Part 5 on Plan 62R-10240;
- (xiv) A parcel of land known municipally as 219 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 9.144 metres (30.000 feet), and described as Part 6 on Plan 62R-10240;
- (xv) A parcel of land known municipally as 221 Brant Street, measuring approximately 24.384 metres (80.000 feet) by 9.144 metres (30.000 feet), and described as Part 7 on Plan 62R-10240;

This Notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of these lands.

- (b) Advertise Notice of the City's Application in the newspaper as required by the Expropriations Act; and
- (c) Sign and receive the Application for Approval of these Expropriations.

The Committee was in receipt of a report from the City Solicitor dated 1989 May 4 respecting Approval of Assignment of Ground Lease to GGS Hotel Holdings Canada Inc. - Sheraton Hamilton Hotel - Payment of Account.

The Committee APPROVED the following:

That the account of Messrs. Weir & Foulds, Barristers and Solicitors, dated 1989 April 27 in the amount of \$40,164. BE PAID and charged to Account No. CH 55311 80010.

**NOTE:** This account is for legal services to 1989 April 19 with respect to the City's approval of the Assignment of the Ground Lease of the Sheraton Hamilton Hotel by Lakeview Development Ltd. to GGS Hotel Holdings Canada Inc., the Indemnity Agreement with GGS Co. Ltd. of Japan, the Lease Amending Agreement for the \$400,000. payment to the City, the Assignment of the Hotel Interface Agreement, the transfer of Truck Easement, the Pedestrian Bridge Agreement and related Certificates.

Payment of Account -  
Weir & Foulds -  
Approval of Assignment  
of Ground Lease to  
GGS Hotel Holdings  
Canada Inc. - Sheraton  
Hamilton Hotel.

Note: Alderman Kiss opposed.

Supply and  
Installation of  
Playstructures -  
Crown Point West/  
Stipeley Neighbour-  
hood.

The Committee was in receipt of a report from the Manager of Purchasing dated 1989 May 8 respecting the Supply and Installation of Playstructures, Crown Point West/Stipeley Neighbourhood.

The Committee APPROVED the following:

That a purchase order BE ISSUED to Belair Recreational Products Inc., Brantford, in the amount of \$10,995. plus applicable taxes, for the supply and installation of Playstructures in the Crown Point West/Stipeley Neighbourhood, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Crown Point West/Stipeley Account #CF 5698 428701203.

Heritage Permit -  
112 St. Clair Ave.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee dated 1989 June 7 respecting a Heritage Permit for 112 St. Clair Avenue.

The Committee APPROVED the following:

That a Heritage Permit for the listed property located at 112 St. Clair Avenue BE APPROVED.

NOTE: The Local Architectural Conservation Advisory Committee at its meeting held 1989 May 30 gave preliminary approval for the Heritage Permit.

The owner of the property proposes to partially enclose the back porch of his home which has been approved by the St. Clair Heritage District Advisory Committee.

Business Land Use  
Advisory Board -  
rezoning of M-12 to  
M-11 lands.

The Committee was in receipt of correspondence from the Chairman of the Business Land Use Advisory Board respecting the Concerns regarding Rezoning Industrial Land from "M-12" to "M-11" to permit Retail Commercial Uses.

Alderman Smith, Chairman of the Business Land Use Advisory Board spoke to this matter and following some discussion, the Committee agreed to RECEIVE this correspondence.

Urban Design  
Committee  
recommendation on  
Bench Advertising.

As an Added Item, Alderman Smith spoke to the Committee with respect to a recommendation of the Urban Design Committee with respect to Bench Advertising. Alderman Smith, Chairman of the Urban Design Committee spoke to the Planning and Development Committee and asked that a request be sent to the Transport and Environment Committee to table this matter and refer it back to the Urban Design Committee for reconsideration.

The Committee APPROVED to this tabling motion and directed the Secretary to advise the Transport and Environment Committee of the request of the Planning and Development Committee that this matter be tabled and referred back to the Urban Design Committee for reconsideration.

Zoning Applications.

At this point, the Committee moved to the City Hall Council Chambers for the purpose of hearing Zoning Applications.

ZA89-21 - 35 Rymal  
Road West.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 1 respecting Zoning Application 89-21 for property located at 35 Rymal Road West.

The Committee APPROVED the following:



That APPROVAL be given to Zoning Application 89-21, Mory Dimillo, prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 35 Rymal Road West as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
  - (i) That a minimum 3.0m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained across the entire southerly rear lot line;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1128, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1128;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 35 Rymal Road West.

The effect of the By-law is to permit the development of a 3 storey commercial building containing general office and retail space.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7 respecting Zoning Application 89-25, for property at 41 Rymal Road West.

ZA89-25 -  
41 Rymal Road West.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-25, Ashok Kumar, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 41 Rymal Road West, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding the provisions of Section 14A(1), the following commercial use shall be permitted:
    - 1. a coin-operated car wash consisting of eight (8) bays contained within a completely enclosed building;

- (ii) That Section 14A(3)(b) shall not apply;
  - (iii) That Sections 18.(3)(ivc)(a), (b) and (c), shall only apply to the southerly rear lot line; and,
  - (iv) That a minimum 3.0m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained across the entire southerly lot line;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1129, and that the subject lands on Zoning District Maps W-9D and W-9E be notated S-1129;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9D and W-9E for presentation to City Council; and,
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at 41 Rymal Road West.

The effect of the By-law is to permit the development of the subject lands for a coin-operated car wash, with a maximum of eight (8) bays contained within a completely enclosed building, and a two storey retail/office building attached to the car wash. In addition, the By-law requires that a minimum 3.0m wide landscaped planting strip and a visual barrier of not less than 1.2m and not more than 2.0m in height be provided and maintained across the southerly lot line.

ZA89-33 -  
132 Stone Church  
Road West.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 30 respecting Zoning Application 89-33, for property at 132 Stone Church Road West.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-33, William Schinkel, owner, to establish a change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District modified to "C" (Urban Protected Residential, etc.) District (Blocks "1" and "2"), and to establish a modification to the "C" (Urban Protected Residential, etc.) District regulations (Block "1"), for property located at 132 Stone Church Road West, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the lands described as Blocks "1" and "2" be rezoned from "B-1" (Suburban Agriculture and Residential, etc.) District modified, to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands described as Block "1", be modified to include the following variance as a special requirement:
  - (i) That notwithstanding Section 9.(4) of Zoning By-law No. 6593, a minimum lot width of at least 10.97m (36.0 ft.) and an area of at least 360.0m<sup>2</sup> (3,875.01 sq.ft.) shall be provided and maintained;
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1130, and that the subject lands on Zoning District Map W-9C be notated S-1130;

- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council;
- (e) That the proposed change and modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a change in zoning for Blocks "1" and "2" from "B-1" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the subject lands for single-family dwellings. In addition, the by-law provides for a variance for the lands described as Block "1" to permit a minimum lot width of at least 10.97m (36.0 ft.), whereas a minimum of 12.0m is required (Section 9.(4) of Zoning By-law No. 6593).

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 31 respecting Zoning Application 89-16, for property at 225 John Street South.

ZA89-16 -  
225 John Street South.

Report of the circularization was given as follows:

1,433 Notices sent - 83 in favour - 60 opposed

The Committee was in receipt of the following letters of submission:

- (a) Peter Dalle Vedobe, 211 John Street South
- (b) Gary and Heidi Evens, 175 Catharine Street South, Apartment 64
- (c) Gerry McDougall, 100 Forest Avenue, Apartment 709
- (d) Christie Chutko, 57 Forest Avenue, Apartment 1202
- (e) Maria Balla, 78 Young Street
- (f) Todd Kenny, 100 Forest Avenue, Apartment 408

The Committee was also in receipt of an added letter of submission from the occupant of property at 57 Forest Avenue, Apartment 1210.

Mrs. Maria Balla, 78 Young Street spoke to the Committee and expressed concern at the very small space where the applicants intend to open a patio to seat a maximum of 120 persons.

Mrs. Evens, 175 Catharine Street South spoke to the Committee and expressed concerns at the increased noise that approval of this patio would generate. She added that the noise level is low now except when the door opens and expressed her view that the noise level would be considerably increased if a patio was permitted. She also added that elderly women in the community could be harassed by patio attendees.

The occupant of property at 81 Charlton Street East spoke to the Committee and expressed concerns at the increased noise that would be generated by approval of a patio. He added that he fears that drunks will be wandering around the area and loitering in the nearby park.

The occupant of property at 147 Catharine Street South, 6th Floor Apartment behind the present applicant's property, indicated to the Committee that even where he is located he can hear the noise. He agrees that the restaurant is a very fine establishment but that the increased noise generated by a patio would be most distressing for area residents.

Mrs. Balla summarized the area residents concerns and pointed to her letter with respect to this matter.



A representative for the applicant spoke to the Committee and indicated that the L.L.C.B.O. has approved a conditional licence for a patio contingent on approval of the zoning application for the outside patio. He added that when this licence application was being processed that the residents did not object. He also added that the L.L.C.B.O. puts many restrictions on the operation of a patio.

Mrs. Balla interjected that patrons are leaving in the early hours of the morning now and expressed concern at what would happen should a patio be allowed.

The Committee then discussed this matter at great length and **APPROVED** the following **DENIAL** recommendation on this application:

That Zoning Application 89-16, Buckingham - York Limited Ontario Corporation No. 299734, owner, requesting a modification to the established "CR-2" (Commercial Residential) District to permit a 120 seat outdoor patio area in conjunction with an existing restaurant (Beni's Casual Dinner House) on property located at 225 John Street South as shown on the attached map marked as **APPENDIX "D"**, **BE DENIED** for the following reasons:

- (a) The proposal conflicts with the intent and purpose of the "Outdoor Patio" By-law, in that:
  - (i) The proposed patio would be located adjacent to a residential district which is prohibited. In this regard, approval of a patio at this location may interfere with the enjoyment, use and privacy of the residents of the adjoining residential property; and
  - (ii) The proposed capacity (120 persons) is 2.4 times the permitted capacity (50 persons) for outdoor patios;
- (b) The proposal would be incompatible with the adjoining residential use;
- (c) Approval of the application would result in the loss of 2 required loading spaces as required by the approved site plan (DA-81-43); and,
- (d) Approval of the application may encourage other similar applications which, if approved, would undermine the intent and purpose of the "Outdoor Patio" By-law.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7 respecting Zoning Application 89-17, for property located at 2 and 4 Solidarnosc Place.

Report of the circularization was given as follows:

275 notices sent - 7 in favour - 7 opposed

The occupant of property at 39 Beechwood Avenue spoke in opposition to this application. He indicated that increased traffic would impact the present parking availability. He also expressed concerns at the access onto St. Olga Street going up the alleyway behind the club.

A representative of the Planning Department indicated that access to the rear public alley would be prohibited.

The President of the Polonia Club and the applicants on this matter spoke on the need for additional parking for their club and therefore the reason for their application.

Following discussion on this matter by the Committee the Committee directed that the following clause be added to the staff recommendation:

That the Stipeley Neighbourhood Plan be amended by redesignating the subject lands from "Single and Double" residential to "Civic and Institutional" use.

The Committee then APPROVED the following recommendation:

That APPROVAL be given to Zoning Application 89-17, Polonia Club Limited, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit a parking lot in conjunction with the Polonia Club, on property located at 2 and 4 Solidarnosc Place, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 9.(1) of By-law No. 6593 a parking lot used only in conjunction with the uses established on adjoining lands to the east at Nos. 4A, 4B and 4-1/2 Solidarnosc Place shall be permitted;
  - (ii) That the front yard provisions of Section 9.(3)(i) of By-law No. 6593 shall not apply to the northerly front lot line;
  - (iii) That notwithstanding Sections 18A(11) and (12) of By-law No. 6593 the following special provisions shall apply:
    - (1) That a minimum 1.5m wide planting strip shall be provided and maintained along the entire northerly front lot line, except for any area used for an access driveway;
    - (2) That a minimum 1.5m wide planting strip shall be provided and maintained along the westerly side lot line and the southerly rear lot line;
    - (3) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained within the required 1.5m wide planting strip along the westerly side lot line and the southerly rear lot line;
    - (4) That no vehicular access to or egress from the public alleyway at the rear of the property shall be permitted;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1036a, and that the subject lands on Zoning District Map E-32 be notated S-1036a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That By-law No. 79-275 as amended by By-law 87-223 establishing Site Plan Control, be amended by adding the subject lands to Schedule "A";

- (f) That the Stipeley Neighbourhood Plan BE AMENDED by redesignating the subject lands from "Single and Double" residential to "Civic and Institutional" use.

NOTE: The purpose of the By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property located at 2 and 4 Solidarnosc Place.

The effect of the By-law is to permit a parking lot in conjunction with the Polonia Club established on adjoining lands to the east.

In addition, the By-law provides for the following variances as special regulations:

- (a) To require no front yard, whereas a minimum front yard of 6.0m (19.69 ft.) is required;
- (b) To require a minimum 1.5m wide planting strip along the entire northerly front lot line, except for the area required for an access driveway;
- (c) To require a minimum 1.5m wide planting strip along the westerly side lot line and southerly rear lot line;
- (d) To require a visual barrier not less than 1.2m in height and not greater than 2.0m in height to be provided and maintained within the required 1.5m wide planting strip along the westerly side lot line and the southerly rear lot line; and
- (e) To prohibit vehicular access to or egress from the public alleyway at the rear of the subject property.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 1 respecting Zoning Application 89-12, for property located adjacent to 291 Grays Road, which is part of the Ontario Hydro lands.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-12, DeMarchi Construction Limited, Lessee, for a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "G-3" (Public Parking Lots) District for property located adjacent to 291 Grays Road, which is part of Ontario Hydro lands, as shown on the attached map marked as APPENDIX "F", on the following basis:

- (a) That the subject lands be rezoned from "L-pn" (Planned Development Public and Institutional) District to "G-3" (Public Parking Lots) District;
- (b) That the "G-3" (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) That a 1.5m wide landscaped planting strip and a visual barrier not less than 1.2m and not greater than 2.0m in height shall be provided and maintained along and within the westerly, easterly and southerly lot lines of the property being leased from Ontario Hydro, to screen the parking lot from the surrounding residential developments; and,
  - (ii) That the provisions of Subsection 18A(11) and 18A(12) shall not apply to the subject lands.
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1131, and that the subject lands on Zoning District Map E-123 be notated S-1131;

ZA89-12 - lands adjacent to 291 Grays Rd. (part of the Ontario Hydro lands.)



- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-123, for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the amending By-law not be passed by Council until the applicant has applied for and received approval of a Site Plan.

NOTE: The purpose of the By-law is to provide for a change in zoning from "L-pn" (Planned Development - Public and Institutional) District to "G-3" (Public Parking Lots) District for a strip of land adjacent to 291 Grays Road.

The effect of the by-law is to permit the lands to be used for parking purposes in conjunction with the existing apartment building at 291 Grays Road. In addition, the by-law will require a 1.5m wide landscaped planting strip, and a visual barrier not less than 1.2m and not more than 2.0m in height along the westerly, easterly and southerly lot lines.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 3 respecting the Proposed Plan for the Jerome Neighbourhood.

Proposed Plan for  
the Jerome  
Neighbourhood.

Mr. Mark Hornell of the Planning Department outlined the report and the proposed plan. He also spoke on the submissions received respecting this plan.

The Committee was in receipt of the following added letters of submission:

- (a) Dr. and Mrs. Dickson, 111 Stone Church Road East.
- (b) Mr. P. Edmonson, 138 Stone Church Road East.
- (c) An Appendix C - Ryckman's Multi Centre Approved Plan which was inadvertently omitted from the document prepared by the Planning Commissioner.
- (d) An Addendum to Agenda Item 30 - Jerome Neighbourhood Plan which was also inadvertently omitted from the Planning Commissioner's document.

The Ward Alderman spoke to the Committee on this matter and it was indicated that a petition has been received from property owners on Chipman Avenue in opposition to the proposed plan with respect to its proposed rezoning of the two properties on Chipman Avenue, one on the north side (No. 17) and the other opposite on the south side to commercial zoning.

A representative from the area spoke on this issue and indicated that there are 19 homes on Chipman Avenue and that 16 home owners have signed the opposition petition to the Plan's proposal to rezone the above-noted properties from "Residential" to "Commercial". He indicated that rezoning these properties was turned down a few years ago as premature until the Neighbourhood Plan was approved.

It was then moved by Alderman Merling, seconded by Alderman Lombardo and CARRIED that the designation for 17 Chipman Avenue be residential.

A representative of the owner of the Rainbow Car Wash, Mr. Alex Hamstreet at 1341 Upper James Street spoke to the Committee and referred to the submission with respect to use of this property. He wants the housing recommendation revised to be used as commercial use due to the increased flow that will be taking place in the future.

Mr. P. Edmonson, 138 Stone Church Road East spoke to the Committee and presented an additional letter from himself dated 1989 June 14 respecting his comments on the Jerome Neighbourhood Plan. He submitted this document to the Secretary.

Dr. Dickson, 111 Stone Church Road East referred to his letter previously submitted on his comments. He feels that the entire policy and map contains many inaccuracies that should be tabled at this time. He feels that L.A.C.A.C. should have input into the designation of Barton Stone United Church area. Dr. Dickson further added that he has concern that the policies are rewritten to reflect greenspace of 3 corners around Barton Stone United Church and feels that the policy should include provision for green area on these corners.

The Committee then APPROVED the following recommendation:

- (a) That the Jerome Neighbourhood Plan, attached herewith and marked APPENDIX "G", BE APPROVED; and
- (b) That the Policies for the Jerome Neighbourhood Plan, attached herewith and marked APPENDIX "H", BE APPROVED.

Subdivision  
Application 88-21 -  
east of Upper James  
Street, and north  
of Stone Church Rd.  
ZA88-131 -  
1275 and 1317  
Upper James St.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 5 respecting Subdivision Application 88-21, for draft plan of subdivision east of Upper James Street and north of Stone Church Road as well as Zoning Application 88-131, for property at 1275 and 1317 Upper James Street.

The Solicitor for the owner of the properties spoke to the Committee on the Application.

The Committee was in receipt of an added letter of submission from Dr. and Mrs. Dickson, 111 Stone Church Road East.

The Committee then APPROVED the following:

- (A) That APPROVAL be given to Subdivision Application 88-21, A. Weisz, owner, to establish a draft plan of subdivision east of James Street and north of Stone Church Road, subject to the following conditions:
  - (a) That approval apply to the plan prepared by MacKay, MacKay and Peters Limited, revised 1989 April 7 and further revised showing 89 lots, one Block (Block "94") for development with adjacent lands, four blocks (Blocks "90", "91", "92" and "93") for 0.3m reserves and one block (Block "95") for a public walkway.
  - (b) That the streets be dedicated as public highways and the walkway (Block "95") be dedicated as public walkway on the final plan.
  - (c) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (d) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (e) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

- (f) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (g) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (h) That the open side of the road allowances created by the plan be terminated in 0.3m reserves (Blocks "90", "91", "92" and "93") to be conveyed to the City of Hamilton.
  - (i) That Block "94" be developed only in conjunction with adjoining lands.
  - (j) That this plan of subdivision not receive final approval before road access is available from Ridge Street and from a road connection to Stone Church Road.
  - (k) That the owner acquire sufficient lands to establish the road in front of lots 41 to 51 to a full width of 20.0m and a 0.3m reserve at the open side of the road allowance prior to or in conjunction with the development of this plan of subdivision.
  - (l) That 2m x 2m daylight triangles be established on all L-shaped streets.
  - (m) That street "A" line up centreline to centreline with the future 26.0m road to Stone Church Road.
  - (n) That the street between Lots 19 and 20 align centreline to centreline with Ridge Street.
  - (o) That Street "A" should have a centreline radius of not less than 110m.
  - (p) That the owner receive a demolition permit in accordance with the "Rental Housing Protection Act" for the rented existing single-family dwelling located on the subject lands.
  - (q) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (r) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (B) That the Subdivision Agreement BE ENTERED INTO by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-21), A. Weisz, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.



- (C) That APPROVAL be given to amended Zoning Application 88-131, Hampshire Properties Inc., Arthur Weisz Real Estate Limited and Hyman Richter, owners, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "1") and "CR-1" (Commercial-Residential) District modified (Blocks "2" and "3"), and from "C" (Urban Protected Residential) District to "CR-1" (Commercial-Residential) District modified (Blocks "4" and "5"), to permit single-family residential development on Block "1", and Commercial/Residential Development on Blocks "2", "3", "4", and "5", for property located at 1275 and 1317 Upper James Street, as shown on the attached map marked as APPENDIX "I", on the following basis:
- (a) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the lands described as Blocks "2" and "3" be rezoned from "AA" (Agricultural) District to "CR-1" (Commercial-Residential) District;
  - (c) That the lands described as Blocks "4" and "5" be rezoned from "C" (Urban Protected Residential, etc.) District to "CR-1" (Commercial-Residential) District;
  - (d) That the "CR-1" (Commercial-Residential) District regulations as contained in Section 15B of Zoning By-law No. 6593 applicable to the lands described as Blocks "2", "3", "4" and "5" be modified to include the following variances as special requirements:
    - (i) That notwithstanding Section 15B(8)(a) of Zoning By-law No. 6593, no building or structure shall exceed eight storeys or 26.0 metres (85.30 ft.) in height;
    - (ii) That a minimum 6.0m wide landscaped planting strip shall be provided and maintained along the easterly property liner of Blocks "2" and "3";
    - (iii) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained within the required 6.0m wide landscaped planting strip along the easterly property line of Blocks "2" and "3";
  - (e) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1132, and that the subject lands on zoning District Map E-9C be notated S-1132;
  - (f) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C for presentation to City Council;
  - (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for the following changes in zoning:

- (a) Block 1 - Change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.

- (b) Blocks 2 - Change in zoning from "AA" (Agricultural)  
and 3 District to "CR-1" (Commercial-  
Residential) District, modified.
- (c) Blocks 4 - Change in zoning from "C" (Urban Protected  
and 5 Residential, etc.) District to "CR-1"  
(Commercial-Residential) District,  
modified.

The effect of the by-law is to permit future single-family residential development on the lands described as Block "1", and commercial/ residential development on the lands described as Blocks "2", "3", "4" and "5".

In addition, the by-law provides for the following variances as special requirements:

- (a) To restrict the maximum height of buildings or structures to eight storeys or 26.0 metres (85.30 ft.) within the "CR-1" (Commercial-Residential) District (Blocks "2", "3", "4" and "5"), whereas 12 storeys or 39.0 metres (127.95 ft.) is permitted (Section 15B(8)(a));
- (b) To require a minimum 6.0m wide landscaped planting strip to be provided and maintained along the easterly property line of Blocks "2" and "3"; and,
- (c) To require a visual barrier not less than 1.2m in height and not greater than 2.0m in height to be provided and maintained within the required 6.0m wide landscaped planting strip along the easterly property line of Blocks "2" and "3".

Dr. Robert C. Dickson, 111 Stone Church Road East and Mr. Peter J. Edmonson, 138 Stone Church Road East spoke to the Committee and asked to be specifically notified when the By-law for this matter is circularized.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 April 28 respecting Authorization for an Open House and a Public Meeting with respect to the Gateway East Study (Centennial Parkway from Confederation Park to Queenston Road).

The Committee **APPROVED** the following:

That the Planning and Development Committee direct staff to schedule an open house and a public meeting to present the findings of the Gateway East Study.

The Committee also directed that the Economic Department should also be circularized when this open house is scheduled.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 5 respecting New Members fo the Central Area Plan Implementation Committee.

The Committee **APPROVED** the following:

For the information of the members of City Council, the Planning and Development Committee, at its meeting held Wednesday, 1989 June 14, **APPROVED** the following membership list for the Central Area Plan Implementation Committee:

Authorization for an  
Open House and Public  
Meeting - Gateway  
East Study  
(Centennial Parkway  
from Confederation  
Park to Queenston  
Road).

C.A.P.I.C. -  
new members.

Alderman David Christopherson (Chairperson) - Planning and Development Committee  
Reverend Charles Forsyth (Vice-Chairperson) - First Place  
Mark Boyak - Hamilton Real Estate Board  
Francois Roesch - Corktown-Stinson Neighbourhood Association  
Gloria DeSantis - Social Planning and Research Council  
Russell Elman - Durand Neighbourhood  
Gabriel Etele - Downtown Business Improvement Area  
John Eyles - McMaster University  
Ozzie Ferguson - United Senior Citizens  
Arthur Lomax - Hamilton Automobile Club  
Kay Nolan - Hamilton-Wentworth Roman Catholic School Board  
Bruce Rankin - Hamilton Society of Architects  
Gil Simmons - North End Neighbourhood  
Trustee Anne Stewart - City of Hamilton  
Ken Stone - Hamilton and District Labour Council  
Marvin Wasserman - King East Business Association  
Diane Brown - Hamilton and District Chamber of Commerce  
Helen Nemeth - Beasley Neighbourhood

C.A.P.I.C. - Future  
Use of the Health  
Building Site,  
74 Hunter St. E.

The Committee was in receipt of correspondence from the Vice-Chairman of the Central Area Plan Implementation Committee respecting the Future Use of the Health Building Site at 74 Hunter Street East.

Following review of this correspondence, the Committee agreed to RECEIVE this matter.

Neighbourhood Plan  
Review - north-west  
corner of Upper Gage  
Avenue and Rymal Rd.  
East (Eleanor  
Neighbourhood)

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 17 respecting an Neighbourhood Plan Review for the north-west corner of Upper Gage Avenue and Rymal Road East (Eleanor Neighbourhood).

The Committee APPROVED the following:

That the Planning and Development Committee authorize a public meeting to discuss the proposed land use options for the north-west corner of Upper Gage Avenue and Ryman Road East, Eleanor Neighbourhood.

Proposed Provincial  
Policy Statement  
on Wetlands.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 30 respecting Proposed Provincial Policy Statement on Wetlands.

The Committee APPROVED the following:

(a) That the Ministers of Municipal Affairs and Natural Resources BE ADVISED that:

(i) The City of Hamilton supports in principle, the proposed Province of Ontario Policy Statement on Wetlands; and,

(ii) The policy statement be revised to:

- (1) Include reference to the conservation authorities participation in wetland management; and,
- (2) Define and/or provide examples of "compatible development", "unreasonable uses" and "lands adjacent to provincially significant wetlands."

(b) That the City Clerk BE REQUESTED to so advise the Ministers of Municipal Affairs and Natural Resources and the Association of Municipalities of Ontario.



The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 May 12 respecting proposed Amendment 52/89 to the Niagara Escarpment Plan.

Proposed Amendment  
52/89 to the  
Niagara Escarpment  
Plan.

The Committee APPROVED the following:

That the City Clerk BE DIRECTED to notify the Clerk of the Regional Municipality of Hamilton-Wentworth that the City of Hamilton does not object to proposed Amendment 52/89 to the Niagara Escarpment Plan.

NOTE: The Niagara Escarpment Commission has requested the City's comments on proposed Amendment 52/89 to the Niagara Escarpment Plan. The purpose of this Amendment is to delete waste disposal (landfill) and related uses from Escarpment Natural, Protection and Rural Areas.

Utility facilities (which includes waste collection or disposal or management) are currently permitted in the Escarpment Protection and Rural Areas, Escarpment Natural Areas and Mineral Resource Extraction Area. In principle, landfill sites are permitted in virtually all designations of the N.E.P. except Urban, Minor Urban and Escarpment Recreation.

The N.E.C. initiated this Amendment because it was felt that landfill operations and related uses would:

- (a) Conflict with the purpose and objectives of the Niagara Escarpment Planning and Development Act; and,
- (b) Not be in keeping with preserving a substantially natural environment.

In addition, it was felt that such uses could more appropriately be dealt with through the N.E.P. Amendment process. Thereby, the purpose and objectives of the Act can be addressed, as well as the site specific and wider impacts of such proposals can be assessed. The amendment process will also guarantee vigorous public, municipal and provincial scrutiny before decisions are made.

There are only three N.E.P. designations within the City of Hamilton: Escarpment Natural Area, Escarpment Protection Area and Urban Area (see attached map). The proposed amendment will only impact on the first two areas. The Regional Engineering Department has advised that there are no waste disposal or related used within these two areas. It was noted that the Upper Ottawa Street landfill site, now closed, is located immediately west of the Escarpment Protection Area in the vicinity of Stone Church Road. Since this site is no longer used for landfill purposes, the proposed amendment will have no impact.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 7 respecting Site Plan Control Application DA-88-110, for lands known as 37 Kilbride Road.

Site Plan Control  
Application DA-88-110  
- 37 Kilbride Road.

The Committee APPROVED the following:

That approval be given to Site Plan Control Application DA-88-110, by the Regional Municipality of Hamilton-Wentworth Engineering Department, owners of lands known as 37 Kilbride Road to establish a storage area for household hazardous waste, subject to the following:

- (a) Modification to the plans in relation to notes and dimensions as marked in red on the plans;



- (b) Provision on the plan to indicate alterations to Site Plan Control Application DA-79-05 and DA-83-49, Mountain Transfer Station; and,
- (c) Modification to the plan to include a note that "the household hazardous waste material shall be totally removed from the Site within two (2) working days following the scheduled public collection of such materials".

The following further part of this matter will be forwarded to City Council for approval:

"That in regard to Site Plan Control Application DA-88-110, by the Regional Municipality of Hamilton-Wentworth, owners of the lands known as 37 Kilbride Road, that approval be given to amend the existing "Agreement", Instrument No. 140899 CD, Registered on Title of the land on 1979 October 18, to permit a storage area for household hazardous waste to be located on the land, and the Agreement specify that household hazardous waste material shall be totally removed from the subject property with two (2) working days following the scheduled public collection of such material".

NOTE: Changes to the Agreement Registered on Title for the lands located at 37 Kilbride Road, are required to permit the storage of household hazardous waste on the subject property, and to limit such storage to a maximum of two (2) working days following the scheduled public collection of such material.

As an Added Item, Alderman Merling spoke to the Committee on Establishing a Task Force for the Purpose of Reviewing the Recent Decision by the Province to close Incinerators in Apartment Buildings.

The Committee then APPROVED the following:

For the information of the members of City Council, the Planning and Development Committee, at its meeting held Wednesday, 1989 June 14th, established a Task Force to be comprised of Aldermen serving the Mountain wards for the purpose of reviewing the recent closure of incinerators in apartment buildings.

There being no further business, the meeting then adjourned.

Taken as read and approved,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 June 14

Establishment of a Task Force for the Purpose of Reviewing the recent decision by the Province to close Incinerators in Apartment Buildings.

Adjournment.





CA4 ON HBL A05  
C51P4  
1989

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



MS. C. DEITER  
URBAN MUNICIPAL LIBRARIAN

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

1989 August 24th

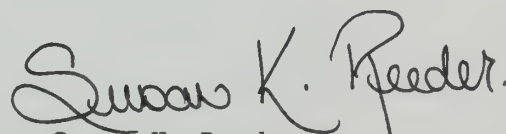
URBAN MUNICIPAL

AUG 28 1989

GOVERNMENT DOCUMENTS

### NOTICE OF SPECIAL MEETING

Planning and Development Committee  
Tuesday, 1989 August 29th  
5:30 o'clock p.m.  
Room 233, City Hall

  
Susan K. Reeder  
Secretary

SKR:dbm

DINNER WILL BE AVAILABLE  
IN ROOM 233 AT 5:00 O'CLOCK P.M.

### A G E N D A

#### BUILDING COMMISSIONER

1. Demolition - 80 Pritchard Road.

#### DIRECTOR OF LOCAL PLANNING

2. Proposed Draft Plan of Condominium "Centergate Properties", north side of Hunter Street, west of Ferguson Avenue.
3. Region's Proposed Modifications to Official Plan Amendment No. 66 - Central Area Plan.
4. Site Plan Control Application DA-89-41 for lands at 1800 Main Street West.
5. Site Plan Control Application DA-89-31 for lands at 99 Duke Street.

I.







Kathy Deiter  
2nd Floor Library  
Urban Municipal Collection

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

URBAN MUNICIPAL

1989 August 24

AUG 28 1989

GOVERNMENT DOCUMENTS

### NOTICE OF SPECIAL MEETING

#### PARKS AND RECREATION COMMITTEE

Tuesday, 1989 August 29  
2:00 o'clock p.m.  
Room 233, City Hall

Robert C. Prowse, Secretary  
Parks and Recreation Committee

RCP:lp

cc: All Members of Council

#### A G E N D A:

1. To approve the Draft Report of the Arena/Skating Feasibility Study.  
Feasibility Study enclosed - Staff report to follow.



FOR ACTION

1.

REPORT TO: The Planning and Development Committee

FROM: L.C. King, Building Commissioner

DATE: August 24, 1989

COMM. FILE:

DEPT. FILE:

SUBJECT:

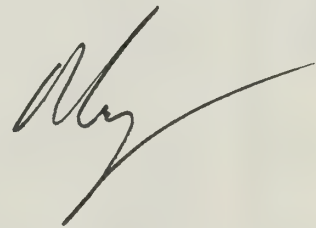
Demolition

RECOMMENDATION:

That the Building Commissioner be authorized to issue a demolition permit for the following property, subject to the approval of the Niagara Escarpment Commission.

a. 80 Pritchard Road

FINANCIAL IMPLICATIONS: N/A



BACKGROUND:

For background information see attached sheets.




## DEMOLITION CONTROL

**CATEGORY "A" – PROPOSED USE OF LAND IS PERMITTED BY PRESENT ZONING**

DATE: August 24, 1989

ITEM	ADDRESS	PRESENT USE	PROPOSED USE	LOT SIZE	OWNER	ZONE	RECOMMENDATION
	80 Pritchard Rd.	S.F.D.	Vacant		City of Hamilton	"AA"	It is recommended that Committee approve demolition. Approval is subject to Niagara Escarpment Commission approval. Land to be used as open space.

  
 P.C. Lampman, P. Eng.,  
 Deputy Building Commissioner

FOR ACTION

2.

REPORT TO: SUSAN K. REEDER, SECRETARY OF THE  
PLANNING AND DEVELOPMENT COMMITTEE

FROM: J. D. THOMS  
COMMISSIONER  
PLANNING AND DEVELOPMENT

DATE:  
COMM FILE:  
DEPT FILES:

1989 JULY 21

SA-89-07  
25CDM-89010

JUL 24 1989

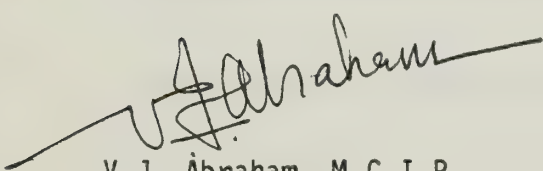
SUBJECT

Proposed Draft Plan of Condominium "Centergate Properties".

RECOMMENDATION

That approval be given to application SA-89-07, "Centergate Properties", Centergate Properties Ltd., owner, to establish a draft plan of condominium located at the north side of Hunter Street, west of Ferguson Avenue, subject to the following conditions:

1. That this approval apply to the plan prepared by Guido Consoli Surveying Ltd., dated December 5, 1989.
2. That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Dept.

FINANCIAL IMPLICATIONS

N/A

BACKGROUND

Owner

Centergate Properties Ltd., Hamilton, Ontario

Agent

J.C. Pelech, Hamilton, Ontario

Surveyor

B. Jacobs O.L.S. of Guido Consoli Ltd., Hamilton, Ontario

Location

The lands, comprising 0.297 ha., are located on the north side of Hunter Street and west of Ferguson Avenue in the Corktown Neighbourhood, City of Hamilton.

Purpose

The owner is in the process of constructing 80 apartment units within one building.

EXISTING DEVELOPMENT CONTROLS

Hamilton-Wentworth Official Plan - the lands are identified as "Existing Development" within the "Urban Policy Areas". The proposal complies.

City of Hamilton Official Plan - the lands are designated "Central Policy Area". The proposal complies.

Neighbourhood Plan - the lands are designated "High Density Apartment". The proposal complies.

Zoning - the lands are zoned "E-3 - High Density Multiple Dwellings" District which permits the proposed use. The proposal complies.

Niagara Escarpment - the lands are not within the Development Control Area, therefore the regulations do not apply.

COMMENTS FROM CIRCULATION

The following agencies have advised that they have no comment or objection toward the development:

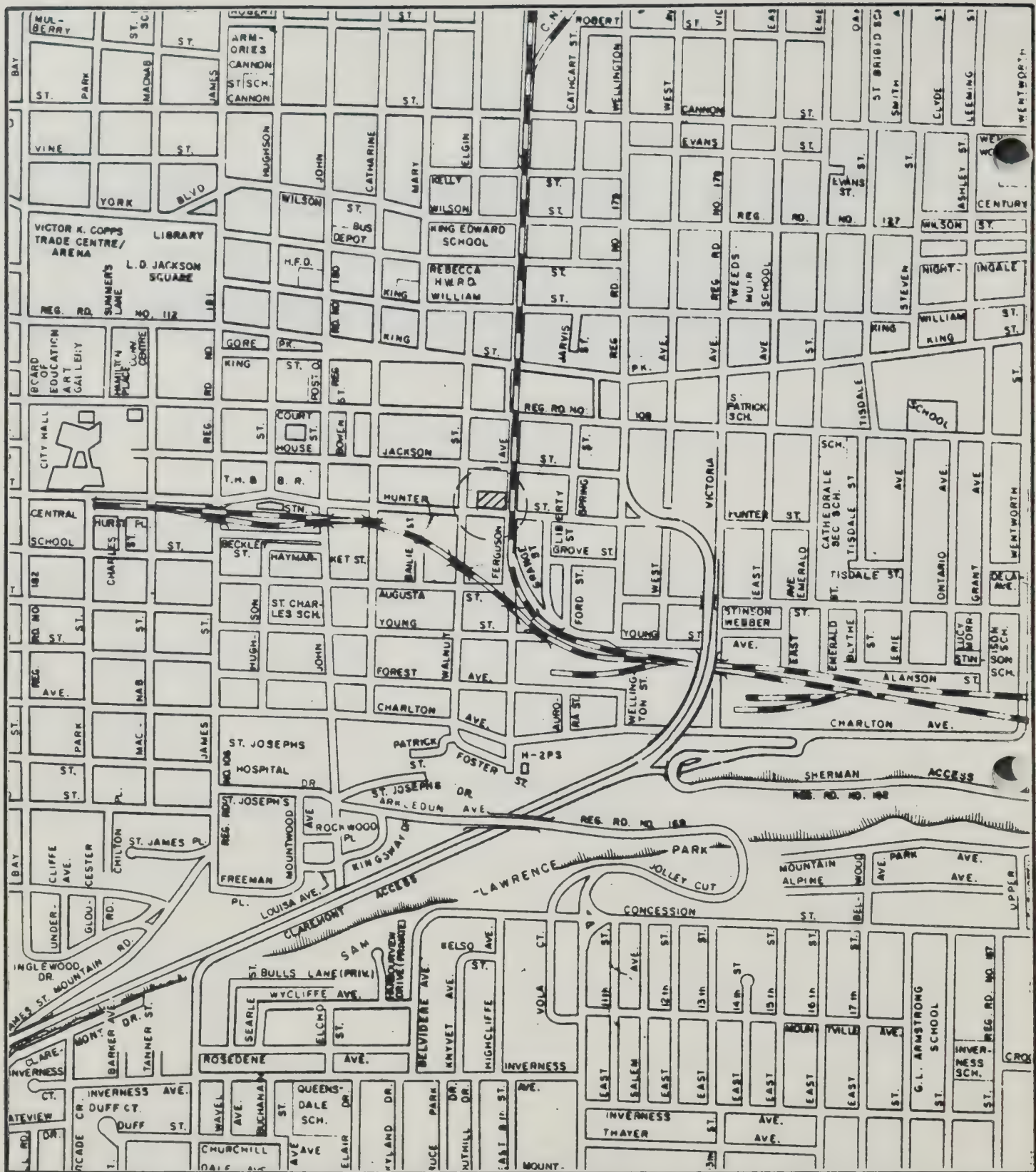
Ministry of Culture and Communications;  
Ministry of the Environment;  
Ministry of Transportation  
City Board of Education;  
Hamilton-Wentworth Roman Catholic Separate School Board;  
City Traffic Department;  
City Building Department;  
Union Gas, Bell Canada, Ontario Hydro;  
Hamilton-Wentworth Department of Engineering.



COMMENTS

1. The conformity of the proposal with the Official Plans and Zoning By-law is noted.
2. No commenting agency has objected to the plan of condominium.
3. The owner received approval of a Site Plan under DA-88-71 which was approved on October 13, 1988. The draft plan of condominium conforms with the approved plan of DA-88-71.

JLS/sj



### Location Plan For

**DRAFT PLAN OF  
LOTS 5, 6 AND 7  
REGISTERED PLAN 48**  
(OLIVER TIFFANY SPRINGER'S SURVEY)  
(NORTH SIDE OF HUNTER STREET EAST)  
**BEING A PROPOSED CONDOMINIUM**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



PROPOSED CONDOMINIUM

North



Scale  
N. T. S.

Reference File  
25CDM.-8901

Date  
APR. 21, 1989

Drawing No.









FOR ACTION

3.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT  
DEPARTMENT

**DATE:** July 18, 1989

**FROM:** J. D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT  
DEPARTMENT

**COMM FILE:**  
**DEPT. FILE:** P6-2-66

**SUBJECT:**

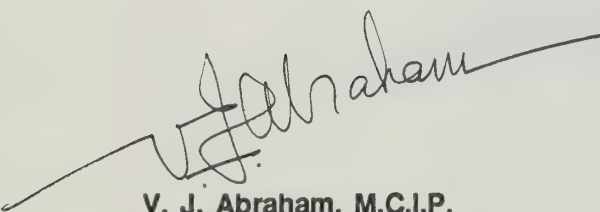
Region's proposed modifications to Official Plan Amendment No. 66 - Central Area Plan.

**RECOMMENDATION**

That Planning and Development Committee recommend to Council that the Region be advised that it:

- 1) supports all the proposed modifications to Official Plan Amendment No. 66 except for a minor change to proposed Modification No. 9 as noted on Table I attached;
- 2) does not support any changes to Official Plan Amendment No. 66 as a result of the appeals from CN and the Hamilton Harbour Commissioners (except Modification 10 as noted on Table 1);
- 3) requests the Region's assistance in discussions with CN with a view to resolving their concerns, and;
- 4) requests the Region to approve Official Plan Amendment No. 66 subject to:
  - a) the deferral of those portions of the amendment which are of specific concern of, and only as they relate to CN' objections; and,

- b) the referral of those portions of the amendment noted in the Hamilton Harbour Commissioners appeal, to the Ontario Municipal Board to be heard in conjunction with the other outstanding appeals. Referral of these portions of the amendment should only be done only insofar as they relate to the Harbour Commissioners' objections.



**V. J. Abraham, M.C.I.P.**  
Director of Local Planning  
Planning and Development Department



**J. D. Thoms, M.C.I.P.**  
Commissioner  
Planning and Development Department

#### **FINANCIAL IMPLICATIONS**

N/A

#### **EXPLANATORY NOTE**

The Region has requested City Council's opinion on a number of modifications and two appeal requests to Official Plan Amendment No. 66 - Central Area Plan.

#### **BACKGROUND**

City Council , on October 25, 1988, adopted Official Plan Amendment No. 66 - Central Area Plan. It was subsequently forwarded to the Regional Municipality of Hamilton-Wentworth for final approval. The Region circulated the Amendment to all interested departments and agencies for comments. As a result of this circulation, the Region is now requesting City Council's opinion on a number of proposed modifications to the Amendment. In addition, they are also requesting Council's wishes regarding two appeal requests. Both these matters will be dealt with separately in the following sections of this report. (See attached Appendix I)



### **PROPOSED MODIFICATIONS**

The Region is requesting Council's opinion on 14 proposed modifications to Official Plan Amendment No. 66. The following table (Table I) details to the following:

- modification number;
- policy reference in Official Plan Amendment;
- origin;
- existing text;
- proposed modification;
- rationale; and,
- recommendation.

In summary, all the modifications to Official Plan Amendment No. 66 as proposed by the Region can be supported, except for a minor change to proposed Modification No. 9, as noted in Table I.

### **PROPOSED APPEALS**

The Region has also requested that, in light of appeals received from the Hamilton Harbour Commissioners (H.H.C.) and from CN Railway, Council advise whether it wishes to change any parts of the Amendment.

#### **Appeal by the Hamilton Harbour Commissioners**

In response to the Region's circulation of Official Plan Amendment No. 66, the Hamilton Harbour Commissioners advised they are requesting 23 policies in the proposed Official Plan Amendment be referred to the Ontario Municipal Board. In a detailed review of these policies, it was felt that only one merited refinement in the proposed amendment (see Modification No. 10 on Table I).

In their submission, the H.H.C. states that in their opinion, "the Amendment does not adequately recognize or protect the importance of shipping and navigation and port development ... and proposes uses and activities which will adversely affect shipping, navigation and port development." They feel that shipping, navigation and port development are major contributors to the economic well-being of the City and Region and "...therefore need to take precedent over other uses."

As you are aware, the Harbour Commissioners are protected by Federal Statute (The Hamilton Harbour Commissioners Act, 1912) to carry out their mandate as it relates to shipping and navigation. A municipal planning document, such as the City's Official Plan, cannot override this Federal paramountcy. In addition, Policy 4.6.11 of the proposed Official Plan Amendment recognizes the area east of Pier 4 for Shipping and Navigation purposes, and that the Waterfront Recreation uses proposed in the Amendment will apply ONLY IF AND WHEN the area is no longer required for shipping and navigation purposes. This proposed policy supplements existing policies in the Official Plan (Policies D.8.4 and D.8.5), which recognize the Harbour Commissioners Federal paramountcy, and does not attempt to prohibit or regulate their activities as they relate to bona fide shipping and navigation.

On this basis, no changes to the Official Plan, in light of the Harbour Commissioners comments, are warranted. The one exception is noted in Modification 10 on Table I.

It should be noted that there are already referrals outstanding at the Ontario Municipal Board (at the Harbour Commissioners request) for portions of the Official Plan, as well as the implementing Harbour zoning by-laws, dating back to 1983. The nature of the Harbour Commissioners objections to proposed Official Plan Amendment No. 66 are the same as the previous referrals. On this basis, the Region should be advised that those policies objected to by the H.H.C. be referred to the Ontario Municipal Board to be heard with the others. It should be noted that the Board has not set a date for the original referral requests.

#### Appeal by C.N. Railway

In response to the Region's circulation of the proposed Amendment, CN has advised that they cannot support the amendment on the following basis:

- no residential uses of any kind are compatible with CN's operations if they are located within 300 m of the CN's Stuart Street yard;
- there are inadequate policies in the amendment concerning the required rail noise, vibration and safety mitigation measures required to permit new development adjacent to CN's rail corridors and rail facilities; and,
- the amendment is not in conformity with the Official Plan for the City of Hamilton.

In reviewing these concerns, it appears there may be room for further discussion with CN. The City's Official Plan does contain strong policies (Subsection B.3.5 - Rail Service, Subsection C.7 - Residential Environment and Housing Policy, and Subsection B.3.1 - Road Network) regarding proposed development and redevelopment of lands adjacent to railway lines. In addition, it is unclear just what is meant by the last concern regarding conformity with the Official Plan. The Region has requested CN's clarification on this matter, however no response has been received to date. On this

basis, there should be no changes to the Official Plan Amendment at this time. Those portions of the proposed amendment of specific concern to CN should be deferred until this matter can be resolved. Further, the Region should be requested to assist the City in attempting to resolve the concerns with CN.

### Summary of Appeals

Based on the foregoing, no changes to the Official Plan Amendment are warranted as a result of the two appeal requests. However, in order to expedite the approval of the Amendment, it is suggested that the Region approve the proposed Amendment, but defer those portions which directly relate to CN's concerns. Those portions of the proposed Amendment objected to by the H.H.C. (except Modification 10) should be referred the Ontario Municipal Board. There is little merit to hold up the approval of the whole amendment when deferrals/referrals of the relevant policies will suffice.

### CONCLUSIONS

On the basis of the foregoing, the Committee should recommend to Council that it:

- supports all the Region's proposed modifications to Official Plan Amendment No. 66 as noted in Table I and Maps 1 and 2 attached, except for a minor change to proposed Modification No. 9;
- does not support any changes to the proposed Amendment as a result of the appeals (the exception is Modification 10 on Table I);
- requests the Region's assistance in reaching a compromise with CN regarding their concerns;
- requests the Region to approve the proposed amendment and defer those portions which are of specific concern to CN; and,
- request the Region to refer those portions of the proposed amendment noted in the Harbour Commissioners appeal to the Ontario Municipal Board to be heard in conjunction with the other outstanding appeals.

CF/ma  
WP0019P



TABLE I

Proposed Modifications to  
Official Plan Amendment No. 66

Modification Number	Policy Reference In O.P.A.	Origin	Existing Text	Proposed Modification	Rationale	Recommendation
1	4.11.4	Niagara Escarpment Commission (N.E.C.)	"Certain portions along the southern edge of the Central Area are under Development Control regulations of the Niagara Escarpment Commission. Prior to any development or redevelopment in these areas the issuance of a development permit will be required from the Commission."	Revise Policy 4.11.4 as follows: "Within the area of the Niagara Escarpment Plan, the Niagara Escarpment Commission regulates development within the Development Control Area as defined by Ontario Regulation 684/80 as amended. Any change in use of any land, building or structure requires a Development Permit from the Niagara Escarpment Commission, including the demolition of a building, unless specifically exempted by the Regulation."	Clarification of N.E.C. control	Approval

2	New Policy	Ontario Hydro and C.N. Rail	None	<p>Introduce new policies as follows: "4.6.A Utility Uses It is the intent of the Central Area Plan to ensure that Utility Uses be recognized in the Plan and developed in an orderly manner consistent with the present and future needs of the Central Area. The planning, design and development of Utility Uses will complement the intent of policies for other land uses in the Central Area.</p> <p>4.6.A.1 The areas designated Utility Uses on Schedule A.1 are to be used for passenger terminals; freight handling facilities and related storage; railway, warehousing and parking areas; electric power facilities; pipelines and natural gas lines; and major road facilities in accordance with the provisions of Subsection A.2.7."</p>	Recognition of "utility" uses such as rail lines and Hydro facilities can be supported since they are currently recognized in the Official Plan.	Approval
3	A.2.10.3.3.(v)	Hamilton Street Railway (H.S.R.)	<p>"The waterfront area should be accessible from all areas of the City, particularly through strong, readily identifiable pedestrian and vehicular links to the Downtown Core.</p>	<p>"Revise Policy A.2.10.3.3(v) by adding undefined words: "The waterfront area should be accessible from all areas of the City, particularly through strong, identifiable pedestrian and vehicular and public transit links to the Downtown Core.</p>	"Emphasize important role of public transit.	Approval

4	4.7.2.3	H.S.R.	<p>"The location of a senior citizen centre in the Central Area is encouraged as demand and need increases."</p>	<p>Revise Policy 4.7.2.3. by adding underlined words:</p> <p>"The location of a senior citizen centre in the Central Area is encouraged as demand and need increases. Particular attention should be paid to <u>public transit access when considering various sites.</u>"</p>	Emphasize important role of public transit.	Approval
5	4.8.1.	H.S.R.	<p>"The operation and adjustments to the traffic system should be compatible with the safety and convenience of pedestrians, desired land uses, and other goals for the Central Area."</p>	<p>Revise Policy 4.8.1 by adding underlined words:</p> <p>"The operation and adjustments to the traffic system should be compatible with the safety and convenience of pedestrians, desired land uses, public transit, and other goals of the Central Area."</p>	Emphasize important role of public transit.	Approval
6	4.8.3	H.S.R. and Regional Engineering Dept.	<p>"In order to alleviate traffic problems and reroute through vehicular traffic, especially truck traffic, away from the downtown area, there will be a new transportation route which would link Burlington Street West to Highway 403. In this regard, planning for such a route should reflect the overall goals for the Central Area with special consideration given to resolving any potential problems arising from its impact on adjacent residential neighbourhoods, the waterfront, the environment and on traffic flow through the Downtown Core."</p>	<p>(i) Delete "West" after Burlington Street</p> <p>(ii) Revise last sentence to read:</p> <p>"In this regard, the planning for such a route should reflect the overall goals for the Central Area with special consideration problems arising from its impact on adjacent residential neighbourhoods, the waterfront, the environment, <u>existing public transit routes</u> and on traffic flow through the Downtown Core."</p>	<p>i) Clarification</p> <p>ii) Emphasize important role of public transit.</p>	Approval



Regional  
Engineering  
Department.

"To preserve and promote the economic health of the downtown core as the Regional economic centre, sufficient parking spaces should be available. Parking facilities should be improved, both by the City and privately. These spaces should be conveniently located and operated in such a manner as to encourage their use for short term parking needs for shopping, entertainment and business. As such, parking should be provided in accordance with the following provisions:

- (i) parking, loading and docking facilities for new development will be encouraged. Preference should be given to multi-level parking structures provided by the proponent or in co-operation with other developers to support an increased employment and shopping population;"

Revise Clause (i) as follows:  
 "(i) parking, loading and docking facilities for new development will be required for developments abutting arterial roads and encouraged elsewhere."

Conformity with  
Hamilton-  
Wentworth Official  
Plan.

Approval

8	4.8.7.(ii)	H.S.R.	<p>"To preserve and promote the economic health of the downtown core as the Regional economic centre, sufficient parking spaces should be available. Parking facilities should be improved, both by the City and privately. These spaces should be conveniently located and operated in such a manner as to encourage their use for short term parking needs for shopping, entertainment and business. As such, piking should be provided in accordance with the following provisions:</p> <p>"(ii) on-street parking will continue to be reviewed for maximum use of the spaces and compatibility with safety, movement and environment needs,"</p>	<p>Revise Clause (ii) by adding underlined words: "(ii) on-street parking will continue to be reviewed for maximum use of the spaces and compatibility with safety, movement including public transit flows and environment needs,"</p>	<p>Emphasize important role of public transit.</p>	Approval
---	------------	--------	--	---	--	----------

Approval subject to the removal of the words "Section 45 of". Given the ever-changing nature of legislation, it is appropriate not to cite specific references in the Official Plan. The section references become outdated quickly.

Clarification of ministry requirements.

Add phrase to the end as follows: "subject to approvals pursuant to the Environmental Assessment Act and Section 45 of the Environment Act."

"Future land uses and activities in the waterfront area will be determined through consideration of the appropriate planning documents, such as the Waterfront Master Plan and approved Neighbourhood Plans."

Ministry of Environment (MOE)

4.6.4

9

Approval

Clarification

Delete first sentence and replace with the following: "Lands designated Waterfront Recreation and identified as "Shipping and Navigation" on Schedule A-1, should be used for Shipping and Navigation purposes."

"Waterfront Recreation uses identified as Shipping and Navigation on Schedule A-1 should be primarily used for these purposes. However, if and when Shipping and Navigation uses are no longer required by the Hamilton Harbour Commissioners, these lands should be developed in accordance with the above policies."

Hamilton Harbour Commissioners

4.6.11

10



11	New Policy	MOE	None.	Insert new Policy 4.10.4 and renumber accordingly: "4.10.4 Council will prohibit the expansion of existing industries and the development of new industries in the Central Area which cannot achieve satisfactory land use compatibility standards".	Strengthen policies relating to compatibility.	Approval
12	2.3.28	Region	None.	Renumber to "2.3.38".	Typo.	Approval
13	Schedule "A" (see Map 1)	Hydro and CN	None.	Designate existing rail line, Stuart Street rail yards and Elgin Street Transformer Station as "Utilities" (also see Modification #2).	Clarification	Approval
14	Schedule "A-1" (see Map 2)	Hydro and CN	None.	Designate existing rail line, Stuart Street rail yards and Elgin Street Transformer Station as "Utilities" (also see Modification #2).	Clarification	Approval

4

FOR ACTION

**TO:** SUSAN REEDER, SECRETARY  
OF THE PLANNING AND  
DEVELOPMENT COMMITTEE

DATE: August 8, 1989  
COMM FILE:  
DEPT. FILE: DA-89-41  
(ZA-88-26)  
Ainsle Wood East  
Neighbourhood

**FROM:** JIM THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT**

Site Plan Control Application for a 143 unit senior citizens retirement home for the lands at 1800 Main Street West.

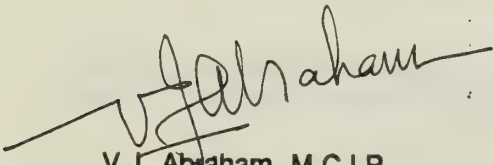
**Recommendation**

That approval be given to Site Plan Control Application DA-89-41 by Cascade Hamilton-Waterford General Partner Inc., owner of lands at 1800 Main Street West for a 143 unit senior citizens retirement home subject to the following:

- a) modifications to the plans related to grades, dimensions and notes as marked in red on the plans;
- b) modification to the layout, grades and landscaping to the driveway area at the east and west ends of the building as marked in red on the plans;
- c) finalization of the grading plans to the satisfaction of the Hamilton Region Conservation Authority, and the Commissioner of the Hamilton-Wentworth Engineering Department; and,
- d) removal of the holding provision "H" from the By-law to permit the development.

**EXPLANATORY NOTE**

The property is zoned "E-H"/S-1113a and "A-H"/S-1113a. The "H" (holding) symbol requires that a Site Plan be approved, and an amending by-law be processed to remove the "H" (Holding) designation, to permit development to proceed.

  
V.J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development Department

## **BACKGROUND**

Plans have been submitted for a 143 unit senior citizens retirement home to be constructed on the north side of Main Street West, east of Whitney Avenue. The building, to be of a stucco finish with metal panels on the top floor, will be four storeys high along Main Street West and five storeys high at the rear where the land slopes downward toward the valley.

The lower level will accommodate parking for 66 parking spaces with an additional 10 surface parking spaces at the west end of the site. Two loading spaces are also located at the west end of the building.

The site is landscaped throughout the property with a special outdoor area and gazebo structure at the rear of the building, and a refurbished tennis court at the rear of the property.

## **COMMENTS RECEIVED**

The Building Department has advised that they have no comment.

The Traffic Department has advised that concerns regarding garbage collection, truck manoeuvring and main entrance driveway layout (see attached letter). Through various discussions and revisions, with the architect, the plan has been modified to the designs as marked in red on the plans.

The Hamilton-Wentworth Engineering Department has advised that clarification is required for grades in the area of the gazebo and pathways.

The Hamilton Region Conservation Authority has verbally advised that the various drainage cuts through the valley slope are subject to approvals and permits through the Hamilton Region Conservation Authority. Revised grades in the redesigned ramp and parking area should be resubmitted to the satisfaction of the Conservation Authority.

## **COMMENTS**

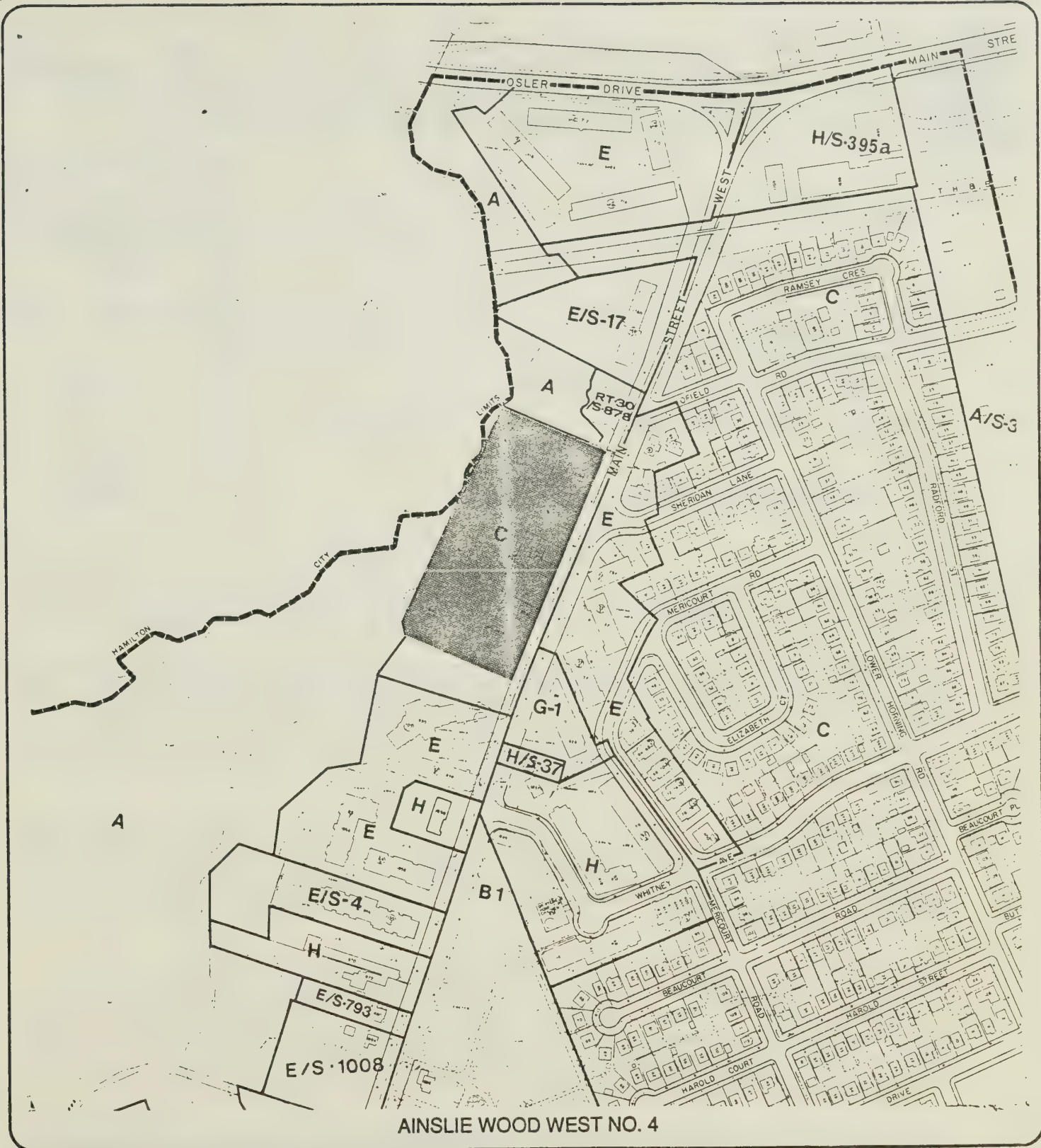
Modifications are required to the plans related to dimensions, notes, revised ramp design, and revised parking/loading area as marked in red on the plans.

The landscape plan should be modified to clearly indicate by "key codes" the location of those materials provided in the plant list.

The site plan has been modified as marked in red on the plan related to revised driveway and parking areas at both ends of the building. The landscape and grading plans should also be amended accordingly.

JPS/ma  
WPDA8941





City of Hamilton  
Plan Showing  
Lands Subject to  
**Site Plan Control**  
**Application DA-89-41**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Site of the Application

North



Scale  
1:5000

Date  
APRIL 1989

Reference File No.  
DA-89-41

Drawn By  
F.V.



# THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

1989 May 01

Mr. V.J. Abraham, M.C.I.P.  
Director of Local Planning  
Planning and Development Department

Attention: Mr. John Sakala

Re: DA-89-41  
The Waterford - Main Street West

Dear Sir:

In response to your memo of 1989 April 20, please be advised that we have reviewed the above-noted application and have the following comments.

Garbage pick-up for all tenant garbage is located at the north-east end of the building at the bottom of the ramp to the underground parking garage. Our turning templates show that there would be inadequate maneuvering room for a truck to turn around in this area. We are recommending that an area be set aside, as shown on the attached plan, for trucks to back into so that they can drive out rather than back out onto Main Street.

This however, still requires a garbage truck to back up a ramp that has a 9.2% grade. We spoke with several garbage removal firms and they informed us that this would be difficult to impossible. We are, therefore, suggesting that the applicant investigate the possibility of having the garbage facilities at the other end of the building.

The Zoning By-law requires there to be one 3.7 x 9.0 m loading space and one 3.7 x 18.0 m loading space. There is not adequate maneuvering room for a 3.7 x 18.0 m loading space. However, there is room for two 3.7 x 9.0 m loading spaces and we would support a variance reducing the large loading space to a small loading space. We have attached a revised parking layout for the south-west end of the building showing a workable layout.

We have also made modifications to the front driveway, as shown on the attached plan, to enable a semi-trailer to use this driveway for loading/unloading.

We approve of the location of the accesses in principle, but the applicant should be advised that he must apply to the Traffic Department for Driveway Approach Approvals, the detailed design of which will be prepared by this Department. Four copies of the approved plan must be submitted. These plans should accurately indicate the location of the existing curbs and all street fixtures which may effect driveway location i.e. poles, fire hydrants, trees, etc.

PLANNING & DEVELOPMENT	
LOCAL PLANNING SECTION	
FILE NO.	MAY 03 1989
TO	MR. J. ABRAHAM
FROM	MR. J. SAKALA
SUBJECT	DA-89-41
DATE	MAY 01 1989
JPS:JL RB:RB	

Should you require any additional information with respect to these comments,  
please contact Wendy Crevier at 526-3909.

Yours truly,

A handwritten signature in dark ink, appearing to be 'M. F. Main', written in a cursive style.

*for* M. F. Main, P. Eng.  
Director of Traffic Services

RK/WC/dd  
attachs.





## FOR ACTION

5.

**REPORT TO:** SUSAN REEDER, SECRETARY  
PLANNING AND DEVELOPMENT COMMITTEE

**DATE:** AUGUST 8, 1989  
**COMM FILE:**  
**DEPT FILE:** DA-89-31  
(ZA-88-90)  
**DURAND**  
**NEIGHBOURHOOD**

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Site Plan Control Application DA-89-31 and modification to Zoning Application ZA-88-90 for renovations to the existing building at 99 Duke Street.

**RECOMMENDATION**

1. That approval be given to Site Plan Control Application DA-89-31 by Louis and Judy Levy, owners of lands known as 99 Duke Street, for renovations to the existing building and property subject to the following:
  - i) modification to the plans in relation to notes, dimensions and parking as marked in red on the plans;
  - ii) submission of a revised site plan and grading plan to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department;
  - iii) finalization of the amending By-law for the proposed development incorporating the approvals of Zoning Application ZA-88-90;and further;
2. That in regard to Zoning Application ZA-88-90 the following resolution be forwarded to City Council for approval;

That Section 14 of the First Report for 1989 of the Planning and Development Committee to City Council, approved on 1988 December 13th, as amended by Council approval on 1989 January 10, in regard to Zoning Application ZA-88-90 by Louis Levy owner of lands located at Nos. 99 Duke Street and 191 Bay Street South be amended as follows:

a) That the following be added as:

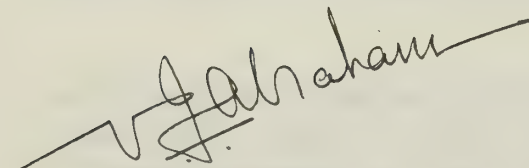
14(b)(ii)(2) Notwithstanding subsection 4.(c) of Table 1 of Section 18A a minimum of 5 parking spaces shall be required.

b) That the following be added to 14(b):

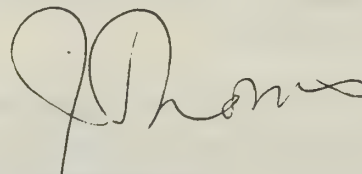
- (3) Notwithstanding Section 18A.1(d) no loading space shall be required.
- (4) Notwithstanding Sections 18A.(11), (12)(a) and (14) one (1) parallel parking space shall be permitted within the required front yard adjacent to the residential district to the east;
- (5) Notwithstanding Section 18A.(1)(f) the aisle width for the designated parallel parking spaces shall be 3.0 m instead of the required 3.7 m minimum; and,
- (6) Notwithstanding Section 18A.(11)(b) one (1) parallel parking space shall be permitted adjacent to the southerly and westerly lot lines.

#### **EXPLANATORY NOTE**

The amendments are necessary in order to provide a minimum of five (5) legal size parking spaces on the lot. Due to site limitations and existing conditions, a portion of the parking spaces will infringe upon required yards as well as eliminate a required planting strip.



**Victor J. Abraham, M.C.I.P.  
Director of Local Planning**



**J.D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development  
Department**



## **BACKGROUND**

Plans have been submitted for renovations to the existing two storey heritage building at 99 Duke Street to accommodate accountant and lawyer offices. The exterior of the 1872 Italianate structure will virtually remain the same, except for the removal of the front and rear porch, and the addition of a new front porch, Italianate in design and a new entrance door. The renovations will provide a gross floor area of 484.54 m<sup>2</sup>, and 5 parking spaces at the rear area of the building. Also, a landscape treatment around the entire building has been proposed as part of the renovations.

## **COMMENTS RECEIVED**

The Hamilton-Wentworth Engineering Department has advised that the site and grading plans require clarification and modification. Revised site and grading plans should therefore be submitted to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department. Furthermore, any parking or paving within the road allowance will require a boulevard parking agreement with the Region.

The Building Department has advised that Zoning Application ZA-88-90 is pending final approval to permit accountants and lawyers offices. This proposal does not meet all the necessary zoning by-law requirements. Thus, several variances to the by-law as described in the attached comments are required.

The Traffic Department has advised that proposed parking spaces number 6 and 7 will require a separate application to the Traffic Department for approval. Furthermore, these spaces will not be approved as shown on the plan, but should be placed parallel to Bay Street.

## **COMMENTS**

Various modifications are required to the plan in relation to notes, dimensions and parking layout as marked in red on the plan.

This department supports the necessary modifications to the by-law since this proposal provides as many parking space on site as possible, considering the site limitations and the existing conditions. The By-law should be amended to indicate five (5) parking spaces which can be accommodated for the development.

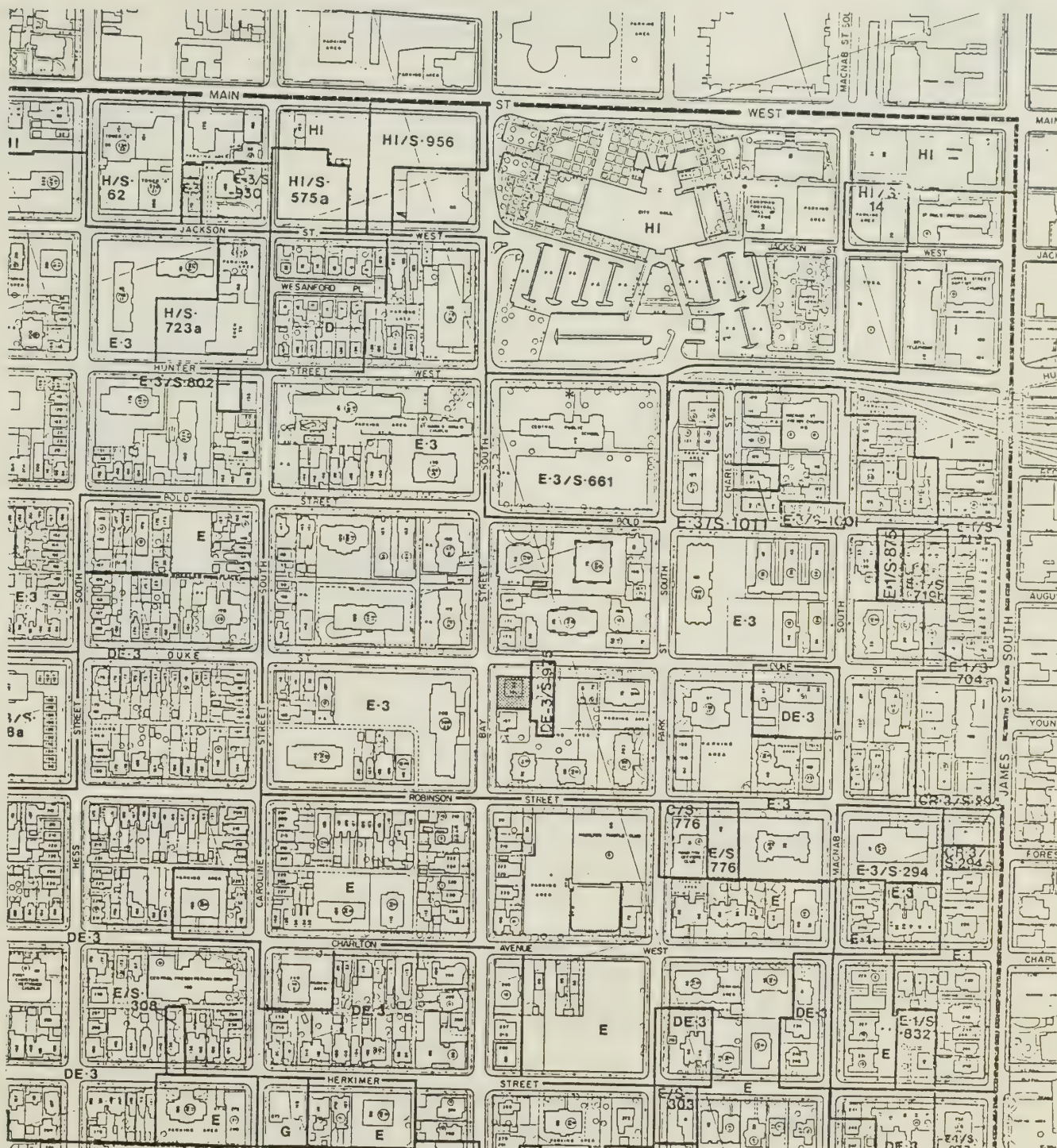
Since, the By-law to permit the development of the property has not been finalized, the amendments should be forwarded to City Council and incorporated as part of the proposed by-law for the property.

JL/ma  
WPDA8931

[illegible]

1. Zoning Application 88-90 is pending final by-law approval to permit accountants and lawyers offices.
2. Based on the gross floor area, the proposed use requires two parking spaces and one (9.0m x 3.7m x 4.3m) loading space.
3. No part of a parking area is permitted to be located in the required front yard.
4. All parallel parking spaces shall be at least 2.5m x 6.7m with a minimum manoeuvring space aisle width of 3.7m.
5. The two parking spaces partially located on the road allowance requires an Encroachment Agreement with the Regional Engineering Department..
6. A portion of the parking area is closer to the street line than the minimum 3.0m front yard depth for the adjoining "E-3" zoning district, and the 4.5m front yard depth for the adjoining "DE-3" zoning district, and is also within 3.0m of the adjoining residential districts.
7. A visual barrier shall be provided along the side lot line adjoining the residential district to the east.
8. The 1.5m area between the parking area and the adjoining residential district shall be landscaped with a planting strip.





41 DURAND

City of Hamilton  
Plan Showing  
Lands Subject to  
**Site Plan Control**  
**Application DA-89-31**

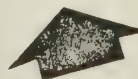
Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



Site of the Application

North



Scale  
1:5000

Date  
June, 1989

Reference File No.  
DA-89-31

Drawn By  
G.G.





HARRIS & HENDERSON

Barristers & Solicitors

C. RAYMOND HARRIS  
B. SCOTT HENDERSON  
PHILIP J. CLAY  
BRIAN K. ADSETT

TELEPHONE (416) 528-4242  
FAX (416) 528-8808

12TH FLOOR  
92 KING STREET EAST  
HAMILTON, ONTARIO  
L8N 1A8

17 August 1989

Alderman John Smith  
Chairman - PLANNING AND  
DEVELOPMENT COMMITTEE  
Corporation of the City of  
Hamilton  
City Hall  
Hamilton, Ontario.

RE 849 UPPER WENTWORTH STREET  
IN THE CITY OF HAMILTON --  
PROPOSED MEDICAL CENTRE --  
UPPER WENTWORTH MEDICAL CENTRE  
HOLDINGS LTD.

Dear Sir,

Further to the writer's attendance at the Planning and Development Committee Meeting on Wednesday, August 16th 1989, and the Committee's request to supply written submissions, we would respond as follows:

1. At the outset, we wish to reiterate that the comments of Mr. Paul Delahunty were certainly not the comments of this firm nor this firm's clients in respect to this Development.

In the past several months, we have enjoyed a straightforward, honest, and co-operative relationship with the City of Hamilton Planning Staff and the various officials associated with this Project.

2. This proposed Development will have adequate on-site parking. We refer you to the comments of the Traffic Department, and in particular, Mr. Roland Karl, who has indicated that this Development will be self-sufficient in

terms of parking.

3. We enclose a copy of a parking survey for fourteen medical centres located in this Municipality, as well as six medical centres located in other Municipalities throughout the country.

You will note from this study that the average medical centre in Hamilton supplies only 2.15 parking spots per doctor, whereas this proposed Development will provide in excess of six parking spots per doctor.

We would further point out that about 25% of the doctors re-locating to this Development will be specialists who will spend approximately 50% of their working time in hospitals and not at the medical centre.

Accordingly, this will relieve parking pressure.

4. This Development will actually be alleviating parking difficulties in certain communities in the City of Hamilton, most notably Hamilton Mountain.

Many of the doctors re-locating to this medical centre will be leaving small medical practices on the Mountain where parking is provided to patients primarily on the street. This medical centre will rectify this situation.

5. Approximately 6,000 square feet of the proposed medical centre will be utilized for health services other than physician's offices, i.e. Laboratory, X-Ray Facility and Dispensary.

These services, as such, compliment the medical practices located in the medical centre, but are not traffic generators.



Nonetheless, this 6,000 square feet has been considered for the purposes of establishing parking spots according to the By-Law.

6. This Development is located on Upper Wentworth Street in the City of Hamilton, near the Limeridge Mall and other large commercial activities which have huge parking lots.

The medical centre will not in the worst case scenario strain parking in this area.

7. The Planning and Development Committee and the Committee of Adjustment have granted relief in whole or in part from the cash-in-lieu policy of the City in the past for various developments.
8. The owners have applied to the Committee of Adjustment with respect to relief from the parking requirements imposed by the By-Law.

At the Planning and Development Committee Meeting in June of 1989 whereat this matter was discussed, it was stated at Committee that the Committee of Adjustment should not be used to circumvent the cash-in-lieu policy of the City, and that if the owners attempted such an application, an appeal to the Ontario Municipal Board would result.

In summary, as cash-in-lieu has been waived in the past, one would think that this would be an appropriate development for such relief by the Planning and Development Committee. However, it appears to be the consensus of the Committee at this stage that some cash-in-lieu payment must be forthcoming from this Development.

Accordingly, our client is prepared for this eventuality, but would request that under the circumstances a minimum acceptable amount of cash-in-lieu be levied.

Thank you for your consideration.

We understand that there will be a special meeting of the Planning and Development Committee prior to this month's Council Meeting to discuss this issue and we look forward to receiving notice of this meeting.

Yours very truly  
HARRIS, HENDERSON



B. SCOTT HENDERSON

BSH:MH

Location	Time Surveyed	#/Doctors	#/Pkg Spaces	#/Occupied	# Spaces/Doctor	Rate	Other Parking	Building Services:
Fennell Medical Bldg. 838 Fennell Ave. East	9:40	4	13	10	3.25	n/a	Dairy Queen lot beside bldg & street	x-ray & lab
502 Concession St.	10:05	2	nil		nil		Hillcrest lot beside bldg. & street	nil
437 Concession St.	10:05	2	7	3	nil		Cleaner's lot within blk & street	nil
688 Concession St.	9:50	12	15	13	1.25	\$1/Hr	across street	pharm-across street lab, x-ray in bldg
668-678 Concession St.	9:55	nil	nil	nil			hospital pkg across street & street	at 688 next bldg
662 Concession St.	10:00	7	11	8	1.57		hospital & chicken outlet next door	within half blk, not in bldg
611 Upper James Medical Arts Building 1 Young Street	10:45 11:40	6 6 GP's 24 Spec	14 97	14 56	2.33 3.23	n/a half hr \$1 ea.	Mr. Sub across str. & strip plaza half hr adjoins 3 public lots at rear	pharmacy pharm, x-ray, lab
196 George Street Westdale Fam.Med.Ctre 1100 Main West	11:55 12:10	2 Spec 5 GP's	20 5	13 5	5 1	n/a n/a	street street & small lot across Main (22)	lab pharm, x-ray
Victoria Medical Ctre 304 Victoria St. North Rosedale Medical Bldg. 1955 King St. East	1:20 9:10	24 7	150 36	75 16	6.25 5.14	50¢/half hr n/a	hospital lot at front of bldg. street only	pharm, lab, x-ray lab, x-ray, pharm.
132 Parkdale Ave. S.	9:01	10 GP's 1 Spec	12	6	1.09	n/a	street, Church/school lot corner	pharm, x-ray, lab
346 Upper Ottawa	11:45	2	nil	nil	nil	n/a	street only	nil
				Average	2.15			



### PARKING/DOCTOR RATIOS FOR OTHER MEDICAL BUILDINGS

(Info-Hugh Davison)

7.

## FOR INFORMATION

**REPORT TO:** SUSAN REEDER, SECRETARY  
OF THE PLANNING AND  
DEVELOPMENT COMMITTEE

**DATE:** AUGUST 22, 1989  
**COMM FILE:**  
**DEPT FILE:** DA-89-69  
Thorner  
Neighbourhood  
(4489)

**FROM:** J.D. THOMS, COMMISSIONER  
PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:**

Cash-in-Lieu of Parking for the property located at No. 849 Upper Wentworth Street.

**BACKGROUND:**

The Planning and Development Committee, at its meeting of August 16, 1989, considered a report from the Cash-in-Lieu Parking Committee which recommended that the Cash-in-lieu of parking policy be applied to the shortfall of parking (30 spaces) for the medical centre development. The report indicated that the cash payment required would be \$135,000 (30 spaces x \$4,500).

Discussion ensued concerning the cash payment required of the developer. As a possible resolve to the impasse respecting the application of cash-in-lieu, the Planning and Development Department put forward for the Committee's consideration a possible solution. The solution was to allow the developer to use cash-in-lieu for two-thirds of the parking shortfall and receive a variance, through Committee of Adjustment, for the remaining one-third (to a maximum of 10 spaces).

The Planning and Development Committee voted on the motion of the two thirds - one third split. The vote was lost in a tie vote. The Committee also agreed to receive an Information Report, concerning this suggested solution, from the Planning and Development Department at a Special Planning and Development Committee meeting to be held August 29, 1989

**Basis for Cash-In-Lieu of Parking Policy:**

Where a shortfall in parking occurs, there are three methods, or any combination thereof, whereby the developer can apply for relief to the parking requirements:

- 1) variance through the Committee of Adjustment;
- 2) amendment to the Zoning By-law; and/or,
- 3) the use of Cash-in-Lieu.

Option 3, which requires a payment based on a given formula, can only be applied where planning and traffic objectives will not be undermined.

**Criteria for Consideration of a Solution:**

It should be noted that after a final review of the site plan, it was determined that the development was short 28 parking spaces instead of the previously identified 30 spaces.

If the Planning and Development Committee wishes to approve the split, as stated above, the following factors may be taken into consideration:

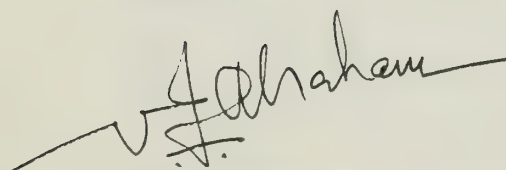
- 1) The proposed parking supply equates to approximately 6 spaces per doctor, which is an acceptable level according to the Traffic Department;
- 2) The site is surrounded by other commercial uses; and there will be no impact on residential streets;
- 3) Given the mix of commercial uses in the surrounding, the potential for multi-purpose trips exist;
- 4) Adequate public transit is available;
- 5) A variance of 9 spaces out of 191 spaces required under the Zoning By-law is of a minor nature;
- 6) The Traffic Department has indicated the proposed level of parking at 163 spaces is satisfactory and does not jeopardize traffic objectives;
- 7) The Parking Authority has indicated the parking reduction would not aggravate parking situation in this area; and,
- 8) The cash payment required in lieu of parking would be \$85,500 instead of \$126,000 (28 spaces x \$4,500).



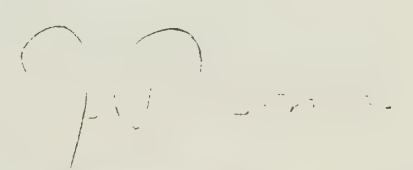
**CONCLUSION:**

Based on the criteria, as noted above, the Planning and Development Committee may wish to consider the following solution:

- o a cash payment for two-thirds of the parking shortfall amounting to \$85,500 (19 spaces x \$4,500); and,
- o a successful application to the Committee of Adjustment for a variance for the remaining one-third (to a maximum of 9 spaces).



**V. J. Abraham, M.C.I.P.**  
Director of Local Planning



**J.D. Thoms, M.C.I.P.**  
Commissioner of the Planning  
and Development Department

**FINANCIAL IMPLICATIONS:**

The cash payment required in lieu of parking would be \$85,500.

JH-E\ma  
WPDA8969



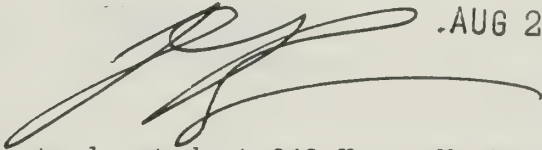
FOR ACTION

8.

REPORT TO: Mrs. S.K. Reeder  
Secretary, Planning and Development Committee

FROM: Mr. L.C. King, P.Eng.  
Building Commissioner

DATE: August 18, 1989  
COMM. FILE:  
DEPT. FILE: 89.4.2.1.A

 .AUG 24 1989

SUBJECT:

Cash-in-Lieu of Parking Policy for the property located at 849 Upper Wentworth Street. (Revised)

RECOMMENDATION:

That in accordance with the Cash-in-Lieu of Parking Policy, the owner of the above-noted property be required to pay the City of Hamilton the sum of \$4,500 per parking space based on an estimated value of \$9,000 per parking space. The proposed development has a shortfall of 28 parking spaces with respect to the requirements of Zoning By-law #6593, and payment for all 28 parking spaces would cost the applicant a total of \$126,000.

That the City Solicitor be directed to implement the Cash-in-Lieu of Parking Policy and that the said agreement be entered into upon finalization of DA-89-24.

FINANCIAL IMPLICATIONS: (IF NONE, STATE N/A)

The sum of \$4,500 per parking space will be added to the Reserve for Off-street Parking administered by the Parking Authority of the City of Hamilton.

BACKGROUND:

On May 23, 1989, Dominion Health Developments on behalf of the owner of the above property applied to the Cash-in-Lieu of Parking Committee for permission to pay cash-in-lieu of 35 parking spaces. A site plan filed by the applicant now indicates a shortfall of 28 parking spaces. The Cash-in-Lieu Committee is agreeable to cash-in-lieu to a maximum of 35 parking spaces.

The proposal is to build a four storey medical office building having a gross floor area of 4100m<sup>2</sup> on a lot having a net lot area of 6663m<sup>2</sup>. This project under the Zoning By-law requires 191 parking spaces, of which 163 are provided on the lot.





The Cash-in-Lieu Committee recommends the minimum payment of 50% of the land purchase and development cost on this project to encourage the use of cash-in-lieu in the City. It has been the Committee's past policy to recommend a 50% payment and this project is consistent with those previously approved. Although the 50% is the lowest value which the Committee may recommend, it is felt that such recommendations will encourage developers to utilize the cash-in-lieu rather than pursuing variances from the zoning by-law through Committee of Adjustment applications.

The Cash-in-Lieu of Parking Committee is recommending that the policy be applied to this development subject to approval of the Development Agreement.

PCL/dm

c.c. - Members of the Cash-in-Lieu of Parking Committee







E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

**THE CORPORATION OF THE CITY OF HAMILTON**

OFFICE OF THE CITY CLERK

1989 September 20

URBAN MUNICIPAL

SEP 2 1989  
GOVERNMENT DOCUMENTS

Mr. E. W. Kowalski, Director of Community Development  
Mr. S. Ghanem, Director of Economic Development  
Mr. G. S. Spencer, Engineering Commissioner  
Attention: Mr. K. Brenner  
Mr. M. Main, Director of Traffic Services  
Mr. R. Karl, Traffic Department  
Ms. Diana Pasko, Planning Department  
Mr. E.G. Beres, Regional Assessment Commissioner  
Urban Municipal Librarian, Central Library

Attached herewith are the minutes of the Planning and Development Committee meetings held Wednesday, 1989 July 12, Tuesday, 1989 August 14 and Tuesday, 1989 August 29.

These minutes were approved by the Committee at its meeting held Wednesday, 1989 September 13.

Yours very truly,

Mrs. Susan K. Reeder, Secretary  
Planning and Development Committee

SKR:dbm  
Attch.  
c.c. '

- Manager, C.M.H.C.
- Hamilton & District Chamber of Commerce
- Attention: Kathy Drewitt
- Mr. V. Mauceri, Manager, Research Dept., H.S.R.
- Mr. Paul E. Shewfelt, Board of Education
- Mr. T. Cupido, Superintendent of Plant,  
Hamilton Separate School Board
- Mr. M. D. Crowley, Southam Communications Ltd.
- Mr. D. Miller, Canada Life, London, Ontario
- Mr. P. Hill, Durand Neighbourhood, c/o Ruth Morrison
- Mr. Rob Hager, Research Statistician, Oshawa Foods



Wednesday, 1989 July 12  
1:30 o'clock p.m.  
Room 233, City Hall

The Planning and Development Committee met.

There were present: Alderman J. Smith, Chairman  
Alderman F. Lombardo, Vice-Chairman  
Alderman M. Kiss  
Alderman W. McCulloch  
Alderman B. Hinkley  
Alderman H. Merling  
Alderman D. Christopherson  
Alderman D. Ross,

Regrets: Mayor Robert M. Morrow - Civic Business

Also present: Alderman J. Gallagher  
Alderman G. Copps  
Alderman D. Agostino  
Alderman T. Murray  
Mr. L. Sage, Chief Administrative Officer  
Mr. V. Abraham, Director of Local Planning  
Mr. J. Johnston, Commissioner of Human Resources  
Mr. M. Watson, Manager, Real Estate Division, Property Department  
Mr. P. Lampman, Building Department  
Mr. D. Godley, Planning Department  
Mr. L. Harvey, Building Department  
Mr. B. Allick, Building Department  
Mr. J. McNeilly, Community Development Department  
Mrs. N. Chapple, Planning Department (L.A.C.A.C.)  
Ms. L. Lawrence, City Solicitor's Office  
Ms. A. Gillispie, Planning Department (L.A.C.A.C.)  
Mr. J. Sakala, Planning Department  
Mr. K. Brenner, Regional Engineering Department  
Mr. J. Thoms, Commissioner of Planning and Development  
Mr. J. Schwarz, Regional Planning Department  
Mr. H. Yeghouchian, Planning Department  
Mrs. W. Grivea, Traffic Department  
Mrs. Susan K. Reeder, Secretary

The Committee was in receipt of the minutes of their meeting held Tuesday, 1989 June 20 and APPROVED these minutes.

Minutes - 1989 June 20.

The Committee was in receipt of a report from the Chief Administrative Officer dated 1989 July 6, respecting the Review of Functions of the City Building Department.

Review of functions of the Building Department.

Some discussion ensued on the authority given to the Chief Administrative Officer with respect to coming forward with this report and this particular matter was TABLED until later in the meeting, in order that the Secretary could obtain the minute book to determine the authorization meeting.

The Committee was in receipt of a report from the Building Commissioner dated 1989 July 5, respecting Demolition Permit Applications. The Committee APPROVED the following:

Demolition Permit Applications.

That the Building Commissioner BE AUTHORIZED to issue demolition permits for the following properties:

- (a) 62 East Bend North
- (b) 1526 Upper Gage Avenue
- (c) 1532 Upper Gage Avenue
- (d) 270 Victoria Avenue North
- (e) 72 Limeridge Road East



Unsafe Building -  
87-89 Peter Street.

The Committee was in receipt of a report from the Building Commissioner dated 1989 July 5, respecting 87-89 Peter Street.

The Committee APPROVED the following:

- (a) That the Building Commissioner BE DIRECTED to enforce an Order regarding an unsafe condition dated 1989 June 12 requiring the demolition of the two attached single family dwellings at 87-89 Peter Street; and,
- (b) That the City Solicitor BE AUTHORIZED to prepare a by-law for the demolition of this property.

NOTE: The cost of the demolition, together with administration costs of both the Real Estate Department and the Building Department will be added to the tax roll, to be collected in a like manner as municipal taxes.

Clean-up of Yard -  
144 Beach Road.

The Committee was in receipt of a report from the Building Commissioner dated 1989 July 5, respecting 144 Beach Road.

Alderman Hinkley spoke to the Committee on this matter. He also made reference to and submitted a petition from the neighbours which was given to him respecting the condition of this particular property.

Mr. B. Allick of the Building Department also spoke to this matter.

The Committee then APPROVED the following:

- (a) That the Building Commissioner BE AUTHORIZED to clear the property at 144 Beach Road of all debris and garbage in accordance with By-law 74-74; and,
- (b) That the City Solicitor BE AUTHORIZED to prepare a By-law for the cleanup of the rear yard at 144 Beach Road, Hamilton.

NOTE: The cost of the clearing of the debris will be added to the tax roll to be collected in like manner as municipal taxes. It is estimated that the cost of this clean up will be approximately \$3,000. plus administration costs.

Appointment of  
Inspectors under  
the Building Code Act.

The Committee was in receipt of a report from the Building Commissioner dated 1989 June 30, respecting Appointment of Inspectors under the Building Code Act.

The Committee APPROVED the following:

That the City Solicitor BE AUTHORIZED to amend By-law 87-312 as follows:

- (a) Section 9(a) be amended by ADDING the following names:
  - i) John Lane
  - ii) Galy Daly
- (b) That Section 9(a) be further amended by DELETING the name:
  - i) William Baxter
- (c) That Section 1(a) be amended by DELETING the name:
  - i) Paul Kuppe
- (d) That Section 1(a) be further amended by ADDING the name:
  - i) Len King

- (e) That Section 2(a) be amended by DELETING the name:
  - i) Len King
- (f) That Section 3 be amended by REPLACING "Section 2" with "Section 6".
- (g) That By-law 89-184 be REPEALED.

NOTE: Due to recent changes in the staff of the Building Department, By-law 87-312 respecting the Appointment of Inspectors needs to be amended to accommodate these changes.

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 28, respecting Applications under the Ontario Home Renewal Programme.

Ontario Home  
Renewal Programme  
Applications.

The Committee APPROVED the following:

That the Director of Community Development BE AUTHORIZED to process the following grant/loan(s) in the amounts not to exceed \$7,500.:

- (a) Ingeborg Morgan  
185 McAnulty Boulevard
- (b) Doris Robertson  
477 Concession Street
- (c) Janis Berzins  
23 Elgar Avenue
- (d) Charles and Yvonne McGinlay  
36 Nicklaus Drive

NOTE: The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme.)

The Committee was in receipt of a report from the Director of Community Development dated 1989 June 29, respecting an Application under the Commercial Facade Loan Programme.

Commercial Facade  
Loan Programme  
Applications.

The Committee APPROVED the following:

That a repayable Commercial Facade Programme loan, in the amount of forty-three thousand, nine hundred and fifty-seven dollars (\$43,957.) BE APPROVED for 123-127 James Street North, Salgado-Kim Holdings Inc. (c/o Philip Salgado) at an interest rate of 6-1/2 percent, amortized over 10 years.

The Committee was in receipt of a report from the Manager of Purchasing dated 1989 June 13, respecting the Supply and Installation of Playstructures at Crown Point West/Stipeley Neighbourhood.

Supply & Installation  
of Playstructures -  
Crown Point West /  
Stipeley  
Neighbourhood.

The Committee APPROVED the following:

That a purchase order BE ISSUED to Belair Recreation Products Inc., Brantford, in the amount of \$10,995. plus applicable taxes, for the supply and installation of Playstructures in the Crown Point West/Stipeley Neighbourhood, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Crown Point West/Stipeley Account #CF5698 428701203.

As this installation is to be completed prior to the end of the school year, the above as been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

Sale - North half  
Part 1, all Part 5,  
Plan 62R-8770,  
Upper Ottawa Street  
Mercanti Management  
Inc.

The Committee was in receipt of a report from the Director of Property dated 1989 July 4, respecting Sale - North half Part 1, all Part 5, Plan 62R-8770, Upper Ottawa Street - Mercanti Management Inc.

The Committee APPROVED the following:

That an Offer to Purchase the lands of The Corporation of the City of Hamilton being composed of the north half of Part 1 and all of Part 5 on Plan 62R-8770 along the western limit of Upper Ottawa Street duly executed on 1989 June 20 by the Purchaser, Mercanti Management Inc. and scheduled to close on or before 1989 November 21, BE APPROVED AND COMPLETED.

NOTE: The purchase price is \$106,675. A deposit cheque in the amount of \$10,667. is being held by the City Treasurer pending Council approval.

The property is composed of Part of Lot 10 and Block 17 on Plan 62M-352, more particularly described as the north half of Part 1 and all of Part 5 on Plan 62R-8770 having a frontage along the western limit of Upper Ottawa Street of 45.72 metres (150 feet) more or less by a depth of 111.11 metres/110.756 metres (364.53 feet/363.37 feet) and containing an approximate area of 1.255 acres.

It is understood and agreed by the Purchaser that the subject lands have services available to it on Upper Ottawa Street; however, the Purchase acknowledges and agrees that there are no lateral connections of the sewer and water lines to the Purchaser's property line. The Purchaser is responsible at its sole cost to provide these sewer and water connections.

This transaction includes special building covenants, agreements and restrictions.

The purchase price is to be credited to Account RF-45001 25202 (Reserve for Property Purchases).

Sale - South part,  
Part 1, Plan 62R-  
8770, Upper Ottawa  
Street - Paul  
Giardini and  
Rita Giardini.

The Committee was in receipt of a report from the Director of Property dated 1989 July 4, respecting Sale - South part, Part 1, Plan 62R-8770, Upper Ottawa Street - Paul Giardini and Rita Giardini.

The Committee APPROVED the following:

That an Offer to Purchase the lands of The Corporation of the City of Hamilton being composed of the south half of Part 1, Plan 62R-8770 along the western limit of Upper Ottawa Street duly executed on 1989 June 26 by the Purchaser, Paul Giardini and Rita Giardini and scheduled to close on or before 1989 September 21, BE APPROVED AND COMPLETED.

NOTE: The purchase price is \$106,675. A deposit cheque in the amount of \$10,667. is being held by the City Treasurer pending Council approval.

The property is composed of Part of Lot 10 on Plan 62M-352, more particularly described as the south half of Part 1, Plan 62R-8770 having a frontage along the western limit of Upper Ottawa Street of 45.72 metres (150 feet) more or less by a depth of 111.11 metres (364.53 feet) more or less and containing an approximate area of 1.255 acres.



It is understood and agreed by the Purchaser that the subject lands have services available to it on Upper Ottawa Street; however, the Purchaser acknowledges and agrees that there are no lateral connections of the sewer and water lines to the Purchaser's property line. The Purchaser is responsible at its sole cost to provide these sewer and water connections.

This transaction includes special building covenants, agreements and restrictions.

The purchase price is to be credited to Account RF-45001 25202 (Reserve for Property Purchases).

The Committee was in receipt of a report from the Director of Property dated 1989 June 7, respecting Municipal Assistance for Subdivision Development and Cost Recovery.

Municipal Assistance  
for Subdivision  
Development and  
Cost Recovery.

The Committee APPROVED the following:

- (a) That municipal staff BE AUTHORIZED to obtain roads and servicing easements from third party owners to assist developers expedite Land Title Applications and the registration of plans of subdivision; and
- (b) That all costs associated with municipal participation be fully recovered from those developers requesting such assistance.

The Committee was in receipt of a report from the City Treasurer dated 1989 June 14, respecting Final Release of Holdback - McLean-Peister Limited.

Final Release of  
Holdback - McLean-  
Peister Limited.

The Committee APPROVED the following:

That total holdback in the amount of \$28,005.85 be released to McLean-Peister Limited,, for the completion of Contract No. 31783, for the construction of Corktown-Stinson O.N.I.P., pending receipt by the Treasury of the Standard Release Forms from the Contractor and City Solicitor's Department.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 4, respecting Designation of the Strathcona Firehall, 37 Strathcona Avenue North.

Designation -  
Strathcona Firehall,  
37 Strathcona North.

The Committee APPROVED the following:

- (a) That APPROVAL be given to the "Intent to Designate" the former Strathcona Firehall 1896 Building at 37 Strathcona Avenue North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the Reasons for Designation attached herewith and marked APPENDIX "A"; and,
- (b) That the City Solicitor BE AUTHORIZED AND DIRECTED to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 5, respecting Demolition Control By-law - 22 Peter Street.

Demolition Control  
By-law - 22 Peter  
Street.

The Committee APPROVED the following:

That the provisions of the Demolition Control By-law BE APPLIED to the property at 22 Peter Street.

NOTE: A listed property, 22 Peter Street is a second unit of a 4-unit brick row house built in 1885-6. The terrace, as a whole, has been evaluated by the Research Sub-Committee as worth of designation under the Ontario Heritage Act, 1983.

The Demolition Control By-law may be applied to any residential property in the City of Hamilton. This by-law may be invoked by City Council to delay the issuance of a demolition permit until a building permit has been issued to erect a new building on the site of the building to be demolished. A second condition on the issuance of a demolition permit which may be imposed under this by-law is that the applicant must construct and substantially complete the new building to be erected on the site within two (2) years or within a specified time of not less than two (2) years.

Demolition Control  
By-law - 266-268  
King Street East.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 5, respecting Demolition Control By-law - 266-268 King Street East.

The Committee APPROVED the following:

That the provisions of the Demolition Control By-law BE APPLIED to the properties located at 266-268 King Street East.

NOTE: 266-268 King Street East are on the City's Inventory of Architecturally and/or Historically Significant Buildings.

The owner of these properties has submitted an application for a demolition permit. The owner has indicated that he plans to make application to demolish the adjacent St. Deny's apartment block at 270-280 King Street East and build a four-storey residential/commercial block. Both applications will, however, have to be approved by the Planning and Development Committee as the upper floors of 266-288 and 270-280 serve a residential use.

The "H" and "I" zoning in place along this section of King Street East, which respectively permits building heights of up to eight and thirty storeys, does not support the retention of the existing heritage building.

The Demolition Control By-law may be applied to any residential property in the City and may be invoked by Council to delay the issuance of a demolition permit until a building permit has been issued to erect a new building on the site of the building to be demolished. A second condition on the issuance of a demolition permit which may be imposed under this by-law is that the applicant must construct and substantially complete the new building within two (2) years or within a specified time of not less than two (2) years.

Heritage Permit -  
111 St. Clair  
Avenue.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 4, respecting a Heritage Permit for property at 111 St. Clair Avenue.

The Committee APPROVED the following:

That a Heritage Permit Application BE APPROVED for the new garage to be erected at the rear of the house located at 111 St. Clair Avenue, located within the St. Clair Heritage District.

NOTE: Any alterations additions or new construction within a Heritage Conservation District requires Council approval.

Proposed demolition  
of property at  
53 Lake Avenue North.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 4, respecting the Proposed Demolition of property at 53 Lake Avenue North.

The Committee questioned why L.A.C.A.C. is reviewing the merits of 53 Lake Avenue North now, when this entire matter has been discussed on numerous occasions by the Parks and Recreation Committee and the Co-Ordinating Committee with respect to a possible Senior Citizen's Centre.

Following discussion on this matter, the Committee APPROVED the following:

That the following recommendation of the Local Architectural Conservation Advisory Committee NOT BE APPROVED:

That the proposed demolition of the City-owned house at 53 Lake Avenue North BE REFERRED to the Local Architectural Conservation Advisory Committee for review.

NOTE: Alderman McCulloch opposed.

The Committee was in receipt of a report from the Secretary of the Local Architectural Conservation Advisory Committee, dated 1989 July 4, respecting the Establishment of a Lister Block Staff Committee.

The Committee APPROVED the following:

That the Planning and Development Committee support the Local Architectural Conservation Advisory Committee's request, that a staff committee consisting of representatives of the Planning, Economic Development, Community Development and Property Departments be established to meet with the Lister Block Action Committee to investigate possible uses of the Lister Block, and to develop re-use alternatives.

Alderman Hinkley requested that L.A.C.A.C. proceed with designating the Cathedral Boys High School and the Committee agreed that this matter BE UNDERTAKEN.

The Committee was in receipt of a letter from Barton Stone United Church, 21 Stone Road West, which was referred to the Planning and Development Committee by City Council at its meeting held Tuesday, 1989 June 27.

It was clarified that City Council referred only this correspondence to the Planning and Development Committee and not the Jerome Neighbourhood Plan and Zoning Application 88-131, which was approved by City Council.

The Committee then agreed to RECEIVE this correspondence.

The Committee was in receipt of a report from the Central Area Plan Implementation Committee, dated 1989 June 16, respecting Municipal Information Management.

The Director of Local Planning indicated to the Committee that this Item should be WITHDRAWN at this time, as it was premature. The Committee AGREED to have this Item withdrawn from the Agenda.

The Committee was in receipt of a report from the Commissioner of Planning and Development, dated 1989 June 16, respecting Proposed Draft Plan of Condominium "Jilly Industrial Place".

The Committee APPROVED the following:

That APPROVAL be given to Proposed Draft Plan of Condominium Application SA-89-05, "Jilly Industrial Place", Toscani Developments Ltd., owner, to establish a draft plan of condominium located at the north side of Hempstead Drive, west of Nebo Road, subject to the following conditions:

- (a) That this approval apply to the plan prepared by A. T. McLaren Ltd., dated 1989 March 6.

Establishment of a Lister Block Staff Committee.

Designation - Cathedral Boys High School.

Correspondence referred by Council - Barton Stone United Church - Jerome Neighbourhood Plan and ZA 88-131.

CAPIC - Municipal Information Management.

Proposed Draft Plan of Condominium "Jilly Industrial Place".



- (b) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

Authorization for  
a Public Meeting -  
Albion Falls  
Neighbourhood Plan  
Amendment.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 6, respecting Authorization for a Public Meeting -Albion Falls Neighbourhood Plan Amendment.

The Committee APPROVED the following:

That the Planning and Development Committee direct staff to hold a public meeting, in conjunction with a public meeting with the Red Hill Creek Master Plan, to discuss an amendment of the Albion Falls Neighbourhood Plan, dealing with the extension of Kingsview Drive across the proposed Mountain Freeway as a roadway and/or Pedestrian Bridge.

Site Plan Control  
Application DA89-24  
- 849 Upper  
Wentworth.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 7, respecting Site Plan Control Application DA-89-24, for property at 849 Upper Wentworth Street.

Mr. J. Sakala of the Planning Department indicated that Section (c) of the recommendation should be amended to change 164 spaces to 161 spaces. The Committee held a considerable amount of discussion on this item and there was a motion from Alderman Merling, seconded by Alderman Lombardo to TABLE Section (c) of the recommendation. MOTION LOST.

The Committee then APPROVED the following:

That approval be given to Site Plan Control Application DA-89-69 by Upper Wentworth Medical Centre Holdings Ltd., owner of the lands at 849 Upper Wentworth Street, to amend the approved plans of Site Plan Control Application DA-89-24 to include a fourth floor for medical office complex, subject to the following:

- (a) modification to the plan related dimensions and notes as marked in red on the plans;
- (b) approval by the Committee of Adjustment for the variance to delete the required one loading space and reduce the length of one loading space from 18.0m to 9.0m; and,
- (c) provision that the shortfall in the required parking from 191 to 161 spaces be finalized through the Cash-in-Lieu policy.

Following a great deal of discussion on the above matter by the Committee, the Secretary of the Planning and Development Committee was directed to write to the Secretary of the Committee of Adjustment for a report on how many applications that have been considered by the Committee of Adjustment for approximately the last several years, have accepted or recommended Cash-in-lieu of Parking Requirements. The Secretary was further directed that this report should be on the next meeting Agenda of the Planning and Development Committee.

The Committee also directed that the Director of Local Planning advise the Planning and Development Committee on the actions taken by the Committee of Adjustment with respect to this particular Site Plan Control Application.

Functions of the  
Building Department.

The Committee then referred back to Item 2 of their Agenda, respecting the review of the Functions of the Building Department.

The Secretary read the following extracts from the minutes of the Planning and Development Committee held Wednesday, 1989 February 22 as follows:

Some discussion ensued on the requirement of a comprehensive review of the functions of the Building Department to be undertaken, and it was agreed that this matter be placed on the next agenda of the Committee for further discussion.

The Secretary also read the following extract from the minutes of the Planning and Development Committee held Wednesday, 1989 March 15:

The Committee discussed a matter of reviewing the functions of the Building Department which had been generally discussed during budget deliberations.

The Chief Administrative Officer spoke briefly to this item, and indicated some of the areas that he sees changes being made.

Following discussion on this matter by the Committee, it was APPROVED:

That the Chief Administrative Officer report back to the Planning and Development Committee on the process to be used in reviewing a possible restructuring of the City's Building Department.

Alderman Christopherson spoke on this item and indicated that he saw the Committee request as a directive for more specific details on a review, rather than blanket approval for staff to do the review and forward the recommendations to the Co-Ordinating Committee.

He further added that he sees the review looking at the function of the Building Department in liaison with the Licensing Department. Alderman Christopherson and Alderman Hinkley also spoke on One Stop Permit Shopping for members of the Public and that all the other aspects should be handled administratively rather than making the applicant follow through the various department's procedures.

Alderman Merling spoke to the Committee and indicated that he sees a need to have the representatives from the Building Department, Licensing Department to speak at the next meeting to outline the functions of each department. Mr. Lampman of the Building Department further added that there seems to be a need for understanding the process.

The Committee then agreed to TABLE this matter for a few meetings.

The Committee then moved to the City Council Chambers to hear Zoning Applications.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 22, respecting Zoning Application 89-37, for property in the area north of Rymal Road East and east of Upper Wellington Street.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-37, 428680 Ontario Limited, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located in the area north of Rymal Road East and east of Upper Wellington Street, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-180 for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

Zoning Applications.

ZA 89-37 - north of Rymal Road East, and east of Upper Wellington.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located in the area north of Rymal Road East and east of Upper Wellington Street.

The effect of the By-law is to permit the use of this triangular piece of land in conjunction with adjacent land, for single-family detached dwellings.

ZA 89-27 -  
266 Limeridge Road  
East.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 5, respecting Zoning Application 89-27, for property at 266 Limeridge Road East.

The Committee was in receipt of a letter of submission from Mrs. Shirley Morley, 8 Flamingo Drive which the Secretary read to the Committee.

The Committee was in receipt of a letter of submission from Ammendolia Real Estate Limited/Realtor.

The Committee was in receipt of a letter of submission from Mrs. Ann McLeod, 32 Skylark Drive.

The owner for the property was in attendance at the meeting and distributed an architectural plan for the development. He indicated that the buildings are two and a half storey, not three storey and that these are rental units not townhouses. He also added that the Province is urging developers to provide more rental units which these will address.

The Director of Local Planning advised the Committee that this particular development would come under Site Plan Control.

The Committee then APPROVED the following:

That APPROVAL be given to Zoning Application 89-27, Agommen Ltd., In Trust, prospective owner, for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District, for property located at 266 Limeridge Road East, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District;
- (b) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding the provisions of Section 10C(3)(ii)(b) of Zoning By-law No. 6593, a side yard having a width of not less than 4.41m from the easterly and westerly lot lines shall be provided and maintained.
  - (ii) That notwithstanding the provisions of Section 18A(1)(c), one loading space (9.0m x 3.7m x 4.3m) shall be provided and maintained for the two multiple dwellings.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1133, and that the subject lands on Zoning District Maps E-18A and E-18B be notated S-1133;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18A and E-18B for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;



- (f) That the Bruleville Neighbourhood Plan be amended by redesignating the subject lands to "Low Density Apartments".

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District for property located at 266 Limeridge Road East.

The effect of the By-law is to permit development of the subject lands for two 3-storey, six unit multiple dwellings.

In addition, the By-law provides for the following variances and special requirements:

- (a) To permit a minimum side yard with of 4.41m, from the easterly and westerly lot lines, whereas 4.50m is required;
- (b) To provide one loading space (9.0m x 3.7m x 4.3m) for the two multiple dwellings, whereas 2 loading spaces are required.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 4, respecting Zoning Application 89-34, for property at 272-288 Limeridge Road East.

ZA 89-34 - 272-288  
Limeridge Road East.

Report of the circularization was given as follows:

100 notices sent      5 in favour      13 opposed

An agent for the applicant was in attendance at the meeting. The agent responded to a Committee question, and advised that these particular units are not subsidized.

The Committee was in receipt of a letter of submission from Mr. Don Nuttall, 11 Flamingo Drive.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-34, Mahabir Homes Limited, prospective owner, for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District, for property located at 272-288 Limeridge Road East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18A and E-18B for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District for properties located at 272-288 Limeridge Road East. The effect of the By-law is to permit the development of the subject lands for townhouses.

NOTE: Alderman Merling opposed.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 27, respecting Zoning Application 89-14, for property at 1158 Upper Wentworth Street.

ZA 89-14 - 1158  
Upper Wentworth Street.

Report of the circularization was given as follows:

45 notices sent      1 in favour      6 opposed

The Committee was in receipt of a letter of submission from Diane Drywood, no address listed, and from Tony and Marion Ann Rizzo, 245 Crerar Drive.

The Committee was also presented with petitions of opposition to this application by Alderman Merling from residents within the area.

Mr. Tony Rizzo, 245 Crerar Drive, spoke to the Committee and indicated that he was told the area was designated for single and double families when he moved in. He added that he is very opposed to this proposal and that the area should be kept as originally designated.

A solicitor for the applicant and an architect for the owners of the property spoke on this matter. Mr. Harringa, Architect for the proposal showed drawings of the proposed buildings. He added that the site is adjacent to a pending highway and that all units would face away from the highway and would have enclosed solariums rather than open balconies to cut down on the noise impact. He added that they would also have air conditioning. He added that there is another 6 foot structure down the road and spoke on use of the rear lands of the property to allow development for a court.

Following discussion on this matter by the Committee the following DENIAL recommendation was APPROVED:

That Zoning Application 89-14, Mr. G. T. Dilar, owner, requesting a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District, for property located at 1158 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "E", BE DENIED for the following reasons:

- (a) It conflicts with the intent of the approved Crerar Neighbourhood Plan which designates the subject lands for "Single and Double" residential development;
- (b) It would be incompatible and out of character with existing and proposed development in the surrounding area comprised of single-family dwellings, small lot single-family dwellings and townhouse dwellings to the south and west;
- (c) It would interfere with the orderly development of the neighbourhood, in that adjoining lands to the west form part of a draft approved plan of subdivision for small lot single-family dwellings having access off of Crerar Drive.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 28, respecting Zoning Application 89-30, for property at 64 Fairholt Road South and 85 Dunsmure Road.

Report of the circularization was given as follows:

359 notices sent      19 in favour      12 opposed

A representative of the owners spoke on the reasons that this application should be approved.

The Committee then APPROVED the following DENIAL recommendation:

That Zoning Application 89-30, 698775 Ontario Inc., Mr. A. Clarke, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit expansion of the existing residential care facility from 12 residents to 19 residents, without providing three additional parking spaces, for property located at 64 Fairholt Road South and 85 Dunsmure Road, as shown on the attached map marked as APPENDIX "F", BE DENIED for the following reasons:

- (a) One of the prime goals of the residential Care Facilities By-law is to provide residents of such facilities with an opportunity to live in an environment that closely approximates a family situation in a residential neighbourhood. The proposed increase in capacity to a maximum of 19 residents, or three times that permitted in a "C" District would result in the creation of a "Mini-Institutional" use. Accordingly, the proposal is contrary to the intent and philosophy behind the By-law and Provincial policies, which were designed to encourage smaller facilities in residential neighbourhoods.
- (b) Another Residential Care Facility is located within 74.67m (245 feet) of the subject lands, contrary to the minimum radial separation distance requirement of 180.0m (600 feet).
- (c) It represents an over-intensification of land use, in that adequate parking would not be provided.
- (d) Approval of the application may encourage other similar applications which, if approved, would undermine the intent of the Residential Care Facilities By-law.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 6, respecting Zoning Application 89-31, for property at 240-244 Quigley Road.

ZA 89-31 - 240-244  
Quigley Road.

The Committee APPROVED the following recommendation:

That APPROVAL be given to Zoning Application 89-31, Gumiero and Pupi, owners, requesting a further modification to the "DE-2" (Multiple Dwellings) District for properties located at 240-244 Quigley Road, as shown on the attached map marked as APPENDIX "G", on the following basis:

- (a) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, as amended applicable to the subject land, be further amended by including the following variance as a special provision:
  - (i) That notwithstanding section 10B(5) of By-law No. 6593 a multiple dwelling having a maximum gross floor area of 2600m<sup>2</sup> shall be permitted.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-884b, and that the subject lands on Zoning District Map E-97 be notated S-884b;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-97 for presentation to City Council; and,
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the proposed By-law is to further modify the "DE-2" (Multiple Dwellings) District for properties located at 240-244 Quigley Road.

The effect of the By-law is to allow the redevelopment of the subject lands for a six storey apartment building containing a total of 22 units.

In addition, the proposed By-law provides for the following variance as a special provision:

- (a) To allow a gross floor area of 2600m<sup>2</sup> within the apartment building, whereas a maximum of 2069.1m<sup>2</sup> is permitted.



ZA 89-40 - 1124  
and 1136 Rymal Road  
East.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 5, respecting Zoning Application 89-40, for properties located at 1124 and 1136 Rymal Road East.

The Committee APPROVED the following:

That APPROVAL be given to Zoning Application 89-40, Gnas Land Group Inc., owner, requesting a modification to the established "M-12" (Prestige Industrial) District (Block 1), and a further modification to the "M-12" (Prestige Industrial) District (Block 2), for properties located at 1124 and 1136 Rymal Road East, as shown on the attached map marked as APPENDIX "H", on the following basis:

(a) That the "M-12" (Prestige Industrial) District regulations as contained in Section 17D of Zoning By-law No. 6593, as amended, applicable to the subject lands be modified to include the following variances as a special provision:

(i) That notwithstanding Section 17D(1)(b) of By-law No. 6593, the following Commercial uses shall be permitted:

<u>Commercial Use</u>	<u>S.I.C. Identification</u>
1. Home & Auto Supply Store	6341
2. Tire, Battery, Parts & Accessories Store	6342
3. General Repairs Garage	6351
4. Paint & Body Repair Shop	6352
5. Muffler Replacement Shop	6353
6. Motor Vehicle Glass Replacement Shop	6354
7. Motor Vehicle Transmission Repair and Replacement Shop	6355
8. Other Motor Vehicle Repair Shop	6359
9. Motor Vehicle Service	6399
10. Automobile & Truck Rental & Leasing Service	9921

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1134, and that the subject lands on Zoning District Map E-59E be notated S-1134;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59E for presentation to City Council; and,

(d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the "M-12" (Prestige Industrial) District and a further modification to the "M-12" (Prestige Industrial) District, for Blocks "1" and "2" for property located at 1124 and 1136 Rymal Road East.

The effect of the By-law is to permit an auto mall on the subject property.

Sub-division  
Application 88-05,  
and Amended ZA 89-  
15 - north of  
Stone Church Road  
West and west of  
Chesley Street.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 June 30, respecting Subdivision Application 88-05, and amended Zoning Application 89-15, for property on the north of Stone Church Road West and west of Chesley Street.

Mrs. Walker, 251 Stone Church Road West spoke to the Committee on her concern on the destruction of trees in this area with the proposed development.

Mr. Ward Campbell, developer for this property spoke to the Committee and indicated that the intent of the development is to preserve as many trees as possible and in fact is part of the recommendation. Mrs. Walker then questioned the tree preservation plan.

Alderman Murray questioned the width of walkways and added that he would like to have walkways as wide as possible.

The Committee then APPROVED the following recommendation:

- (A) That APPROVAL be given to Subdivision Application 88-05, Starward Homes, owner, to establish a draft plan of subdivision north of Stone Church Road West and west of Chesley Street, subject to the following conditions:
- (a) That this approval apply to the plan prepared by A. J. Clarke and Associated, dated 1989 January 31, revised to show 102 lots, 2 blocks (Blocks "109" and "110") for development with abutting lands, one block (Block "108") as a 4.57m walkway, four blocks (Blocks "104", "105", "106" and "107") as 0.3m reserves and one block (Block "103") as parkland.
  - (b) That the streets be dedicated as public highways and the walkway (Block "108") be dedicated as a public walkway on the final plan.
  - (c) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (d) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (e) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (f) That the owner convey 5% of the lands included in the plan to the City of Hamilton for park purposes, said conveyance to comprise part of Block "103".
  - (g) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (h) That the dead-ends and open sides of the road allowances (Blocks "104", "105", "106" and "107") created by the plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowances or development of adjacent lands.
  - (i) That Blocks "109" and "110" be developed only in conjunction with abutting lands.
  - (j) That the owner dedicate sufficient land to the Region to establish the property line 15.24m from the centreline of the original Stone Church Road road allowance.
  - (k) That Brigadoon Drive and Street "B" be established to their full widths of 20m. Brigadoon Drive should be realigned as shown on the plan and that a bulb be established at the south easterly corner of Street "B".
  - (l) That a 4.57m wide public walkway (Block "108") be provided for in the vicinity of Lots 9 and 10.

- (m) That the radii of the horizontal bends at Lots 40, 97 and 98 be specified, and minimum 2m x 2m daylight triangles be established on these lots.
  - (n) That Crescent "C" and the adjacent lots not be registered until either Gondola Street or Duncairn Crescent is included in a registered plan of subdivision or the City has agreed to open it/them by By-law.
  - (o) That the portion of the closed original road allowance north of Street "B" and west of Chester Avenue, if not owned by the City and which will form part of the future intersection, be acquired and established as part of the road allowance and constructed from Chester Avenue westerly to Street "B".
  - (p) That Lots 72-102 not be registered until the lands westerly have been developed or alternatively, an easement from Brigadoon Drive is extended to Crescent "C" is provided for.
  - (q) That the owner prepare and implement a tree preservation plan.
  - (r) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (s) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.
- (B) That the Subdivision Agreement BE ENTERED into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-05), Starward Homes, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (C) That the Gourley Neighbourhood Plan BE AMENDED accordingly.
- That APPROVAL be given to Amended Zoning Application 89-15, Starward Homes Limited, owner and prospective owner, to establish a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands north of Stone Church Road West and west of Chesley Street, as shown on the attached map marked as APPENDIX "I", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps W-9B, W-9C, W-17B and W17C for presentation to City Council; and,
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



NOTE: The purpose of the by-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for the subject lands.

The effect of the proposed change is to subdivide the subject lands into building lots for single-family detached dwellings.

The Committee was in receipt of a recommendation from the Commissioner of Planning and Development dated 1989 June 29, respecting Zoning Application 89-05, for property at 10 Herkimer Street.

ZA 89-05 -  
10 Herkimer Street.

The Committee was in receipt of the following letters of submission:

- (a) W. T. Scriven, 1508-33 Robinson Street.
- (b) Burt Visheau, 227 MacNab Street South, #3.
- (c) Dr. and Mrs. Ernest Fallen, 265 MacNab Street South.

Some mention was made on the comments in the staff report made by Social Service, specifically said in part "the Durand Neighbourhood Association had comments to make at that time and we strongly suggest that they be asked to comment re this expansion plan".

Some concern was expressed at these comments which should not be part of staff's comments. Alderman Christopherson, Chairman of the Health and Social Services Committee indicated that he would take this matter up with the appropriate staff and the Committee AGREED to leave this matter in his hands.

The Committee then APPROVED the following amended recommendation:

That APPROVAL be given to Zoning Application 89-05, 583783 Ontario Inc. (D. and F. Steller), owners, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Club, etc.) District regulations to permit expansion of the existing residential care facility from 34 residents to 58 residents, for property located at 10 Herkimer Street, as shown on the attached map marked as APPENDIX "J", on the following basis:

- (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 83-217 applicable to the subject lands, be further modified to include the following variances as special requirements:
  - (i) That notwithstanding Clause (iii) of Subsection 1 of Section 11 of By-law No. 6593 a residential care facility for the accommodation of a maximum of 58 residents of at least 60 years of age, shall be permitted;
  - (ii) That a minimum of seven off-street parking spaces shall be provided on the site;
  - (iii) That notwithstanding Section 11A(3)(ii)(b) a minimum westerly side yard of 1.26m shall be provided; and,
  - (iv) That notwithstanding Section 11A(3)(iii)(b) a minimum rear yard of 4.8m shall be provided.
- (b) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S-832a and that the subject lands on Zoning District Maps W5 and W6 be notated S-832a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W5 and W6 for presentation to City Council;

- (d) That the proposed change in zoning is in conformity with Official Plan for the Hamilton Planning Area; and,
- (e) That the Durand Neighbourhood Plan be amended by redesignating the subject lands from "Commercial and Apartments" to Medium Density Apartments".

NOTE: The purpose of the By-law is to provide for a modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit the expansion of the existing residential care facility from 34 residents to a maximum of 58 residents.

In addition, the By-law provides for the following variances:

- (a) To require a minimum of seven off-street parking spaces;
- (b) To provide a minimum westerly side yard of 1.26m;
- (c) To provide a minimum rear yard of 4.8m.

Applewood  
Development Project  
- Upper Ottawa  
Street.

Alderman Smith spoke to the Committee on his concerns respecting the Applewood Development project on Upper Ottawa Street by Jubilee Homes. He added that housing is being put in at a very high density in this area.

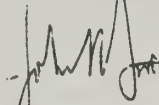
The Director of Local Planning outlined the definition in the By-law for townhousing units and indicated that staff is working on tying up the interpretation of the townhousing category to prevent buildings being constructed with such high density as apartments.

The Committee expressed concern at the time this tightening up would take and directed that a report on this matter be forwarded to the next meeting of the Committee.

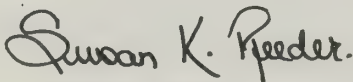
Adjournment.

There being no further business, the meeting then adjourned.

Taken as read and approved,



ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE



Susan K. Reeder  
Secretary  
1989 July 12

Tuesday, 1989 August 14  
7:00 o'clock p.m.  
Room 233, City Hall

A Special meeting of the Planning and Development Committee was held.

There were present: Alderman J. Smith, Chairman  
Alderman F. Lombardo, Vice-Chairman  
Mayor Robert M. Morrow  
Alderman H. Merling  
Alderman D. Christopherson  
Alderman M. Kiss

Regrets: Alderman T. Cooke  
Alderman W. McCulloch  
Alderman B. Hinkley  
Alderman D. Ross - Vacation

Also present: Alderman D. Drury  
Ms. J. McNeilly, Community Development  
Department  
Mrs. Susan K. Reeder, Secretary

The Committee was in receipt of a report from the Manager of Purchasing dated 1989 August 15 respecting Crown Point West/Stipeley P.R.I.D.E. Belview Park Site - Improvements and Landscaping.

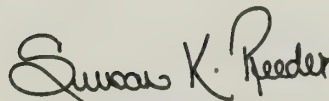
The Committee APPROVED the following:

That a purchase order BE ISSUED to McLean - Peister, Kitchener, in the amount of \$441,926.00, for the Belview Park site improvements and landscaping in the Crown Point West/Stipeley Neighbourhood, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Crown Point West/Stipeley Account #CF5200 428702005.

There being no further business, the meeting then adjourned.

Taken as read and approved,



Susan K. Reeder  
Secretary  
1989 August 15



ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Crown Point West/  
Stipelev P.R.I.D.E.  
Belview Park Site -  
Improvement and  
Landscaping.

Adjournment.





Tuesday, 1989 August 29  
5:30 o'clock p.m.  
Room 233, City Hall

A special meeting of the Planning and Development Committee was held.

There were present: Alderman J. Smith, Chairman  
Alderman F. Lombardo, Vice-Chairman  
Alderman B. Hinkley  
Alderman D. Christopherson  
Alderman H. Merling  
Alderman W. McCulloch  
Alderman M. Kiss

Regrets: Mayor Robert M. Morrow - Civic Business  
Alderman D. Ross - Regional Business

Also present: Mr. V. Abraham, Director of Local Planning  
Mr. W. Wong, Building Department  
Mr. R. Karl, Traffic Department  
Mr. M. Watson, Real Estate Division  
Mr. D. Vyce, Director of Property  
Mr. P. Baker, General Manager, Parking Authority  
Ms. L. Lawrence, City Solicitor's Office  
Mrs. Susan K. Reeder, Secretary

The Committee was in receipt of a report from the Building Commissioner dated 1989 August 24, respecting a Demolition Permit Application.

Demolition Permit  
Application

The Committee APPROVED the following:

That the Building Commissioner BE AUTHORIZED to issue a demolition permit for the following property, subject to the approval of the Niagara Escarpment Commission:

- (a) 80 Pritchard Road.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 21, respecting a Proposed Draft Plan of Condominium "Centergate Properties".

Proposed Draft  
Plan of Condominium -  
"Centergate  
Properties"

The Committee APPROVED the following:

That APPROVAL be given to Proposed Draft Plan of Condominium Application SA-89-07, "Centergate Properties", Centergate Properties Ltd., owner, to establish a draft plan of condominium located at the north side of Hunter Street, west of Ferguson Avenue, subject to the following conditions:

- (a) That this approval apply to the plan prepared by Guido Consoli Surveying Ltd., dated 1989 December 5.
- (b) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 July 18, respecting the Regional Municipality of Hamilton-Wentworth proposed modifications to Official Plan Amendment No. 66 - Central Area Plan.

Regional  
Municipality of  
Hamilton-Wentworth  
proposed  
modifications to  
O.P.A. 66 -  
Central Area Plan.

The Committee APPROVED the following:

That the Regional Municipality of Hamilton-Wentworth BE ADVISED that the City of Hamilton:

- (a) SUPPORTS all the proposed modifications to Official Plan Amendment No. 66, (EXCEPT for a minor change to proposed Modification No. 9 as noted on Table 1 attached herewith and marked Appendix "A");

- (b) DOES NOT SUPPORT any changes to Official Plan Amendment No. 66 as a result of the appeals from CN and the Hamilton Harbour Commissioners (EXCEPT Modification 10 as noted on Table 1 attached herewith and marked Appendix "A");
- (c) REQUESTS the Region's assistance in discussions with CN with a view to resolving their concerns, and;
- (d) REQUESTS the Region to approve Official Plan Amendment No. 66 subject to:
  - (i) The deferral of those portions of the amendment which are of specific concern, and only as they relate to CN' objections; and,
  - (ii) The referral of those portions of the amendment noted in the Hamilton Harbour Commissioners appeal, to the Ontario Municipal Board to be heard in conjunction with the other outstanding appeals. Referral of these portions of the amendment should be done only insofar as they relate to the Harbour Commissioners' objections.

NOTE: The Regional Municipality of Hamilton-Wentworth has requested Hamilton City Council's opinion on a number of modifications and two appeal requests to Official Plan Amendment No. 66 - Central Area Plan.

Hamilton City Council, on 1988 October 25, adopted Official Plan Amendment No. 66 - Central Area Plan. It was subsequently forwarded to the Regional Municipality of Hamilton-Wentworth for final approval. The Region circulated the Amendment to all interested departments and agencies for comments. As a result of this circulation, the Region is now requesting Hamilton City Council's opinion on a number of proposed modifications to the Amendment. In addition, they are also requesting Council's wishes regarding two appeal requests.

Site Plan Control  
Application DA 89-41,  
1800 Main St. W.

The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 August 8, respecting Site Plan Control Application DA 89-41, for property at 1800 Main Street West.

The Committee APPROVED the following:

That APPROVAL be given to Site Plan Control Application DA-89-41, by Cascade Hamilton-Waterford General Partner Inc., owner of lands at 1800 Main Street West for a 143 unit senior citizens retirement home subject to the following:

- (a) Modifications to the plans related to grades, dimensions and notes as marked in red on the plans;
- (b) Modification to the layout, grades and landscaping to the driveway area at the east and west ends of the building as marked in red on the plans;
- (c) Finalization of the grading plans to the satisfaction of the Hamilton Region Conservation Authority, and the Commissioner of the Hamilton-Wentworth Engineering Department; and,
- (d) Removal of the holding provision "H" from the By-law to permit the development.

NOTE: The Property is zoned "E-H"/S-1113a and "A-H"/S-1113a. The "H" (holding) symbol requires that a Site Plan be approved, and an amending by-law be processed to remove the "H" (holding) designation, to permit development to proceed.



The Committee was in receipt of a report from the Commissioner of Planning and Development dated 1989 August 8, respecting Site Plan Control Application DA-89-31, for property at 99 Duke Street.

Site Plan Control  
Application DA 89-31,  
99 Duke Street.

The Committee APPROVED the following:

That APPROVAL be given to Site Plan Control Application DA-89-31, by Louis and Judy Levy, owners of lands known as 99 Duke Street, for renovations to the existing building and property subject to the following:

- (a) Modification to the plans in relation to notes, dimensions and parking as marked in red on the plans;
- (b) Submission of a revised site plan and grading plan to the satisfaction of the Commissioner of the Hamilton-Wentworth Engineering Department;
- (c) Finalization of the amending By-law for the proposed development incorporating the approvals of Zoning Application 88-90;

The following recommendation with respect to Zoning Application 88-90, will be forwarded to City Council for approval:

That Section 14 of the First Report for 1989 of the Planning and Development Committee to City Council, approved on 1988 December 13, as amended by Council approval on 1989 January 10, in regard to Zoning Application 88-90 by Louis Levy, owner of lands located at 99 Duke Street and 191 Bay Street South BE AMENDED as follows:

- (a) That the following be added as:
  - (i) 14(b)(ii)(2) Notwithstanding subsection 4.(c) of Table 1 of Section 18A a minimum of 5 parking spaces shall be required.
- (b) That the following be added to 14(b):
  - (3) Notwithstanding Section 18A.1(d) no loading space shall be required;
  - (4) Notwithstanding Sections 18A.(11), (12)(a) and (14) one (1) parallel parking space shall be permitted within the required front yard adjacent to the residential district to the east;
  - (5) Notwithstanding Section 18A.(1)(f) the aisle width for the designated parallel parking spaces shall be 3.0m instead of the required 3.7m minimum; and,
  - (6) Notwithstanding Section 18A.(11)(b) one (1) parallel parking space shall be permitted adjacent to the southerly and westerly lot lines.

NOTE: The amendments are necessary in order to provide a minimum of five (5) legal size parking spaces on the lot. Due to site limitations and existing conditions, a portion of the parking spaces will infringe upon required yards as well as eliminate a required planting strip.

The Committee was in receipt of a letter of submission from Mr. B. Scott Henderson, Harris & Henderson, Barristers & Solicitors, on behalf of the owners of the property at 849 Upper Wentworth Street, dated 1989 August 17.

Mr. Henderson briefly spoke to his submission and indicated that the contents of his letter are self explanatory.

Cash-in-lieu of  
Parking - 849  
Upper Wentworth St.  
Correspondence -  
Scott Henderson, re:  
849 Upper Wentworth.

Alderman McCulloch pointed out that the recommendation in the report which would be going to City Council was inaccurate in that it should have been recorded in the negative rather than in the positive as it presently stands. The Secretary acknowledged that this was an error and indicated that an amendment would be prepared for adoption at City Council.

Information Report -  
Planning

The Committee was in receipt of an Information Report from the Commissioner of Planning and Development dated 1989 August 22, with respect to Cash-in-lieu of Parking for the property located at 849 Upper Wentworth Street.

Report -  
Building  
Commissioner

The Committee was also in receipt of a Report from the Building Commissioner dated 1989 August 18, respecting the Cash-in-lieu of Parking Policy for the property located at 849 Upper Wentworth Street.

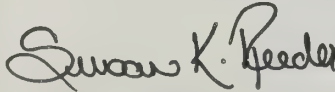
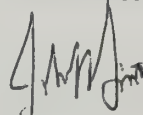
The Committee agreed to RECEIVE the above-noted matters.

Some discussion ensued on this matter, and it was agreed that the discussion and the reports would BE RECEIVED for information since this matter would be discussed in more detail at City Council.

Adjournment.

There being no further business, the meeting then adjourned.

Taken as read and approved,



ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 August 29





My Darling and Beloved, I hope you are well.

I have been thinking of you very much lately, and wondering how you are getting on. I hope you are happy and content. I have been very busy lately, but I have managed to find some time to write to you.

I have been thinking of you very much lately, and wondering how you are getting on. I hope you are happy and content. I have been very busy lately, but I have managed to find some time to write to you.

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I have been thinking of you very much lately, and wondering how you are getting on. I hope you are happy and content. I have been very busy lately, but I have managed to find some time to write to you.

With love and affection,

*John F. Kennedy*  
John F. Kennedy  
President of the United States



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